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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

R.A. NO. 247/93 in  
O.A. NO. 125/88

DECIDED ON : 25.8.1993.

Husan Singh

....

Petitioner

Vs.

Dy. Commissioner of Police  
& Ors.

....

Respondents

CORAM :

HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN

HON'BLE MR. B. N. DHOUDIYAL, MEMBER (A)

**ORDER** (BY CIRCULATION)

This review application has been filed seeking recalling the judgment of this Tribunal dated 25.5.1993 in O.A. 125/88. The petitioner had challenged the order dated 3.5.1984 by which he had been warned to remain careful in future and prayed for certain allowances to be paid to granted to him during the period of his suspension.

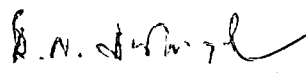
2. The petitioner is aggrieved that his O.A. was rejected on the short ground that he had not given satisfactory explanation for delay from 4.2.1987 to 13.1.1988 and hence, the application was barred by limitation. He has contended that there can be no hard and fast rule prescribing upper or lower limit within which an order has to be challenged under Article 226 of the Constitution and has claimed that he should not be denied the relief if he is entitled to succeed on merits. The explanation for delay has now been given<sup>as</sup> due to his own illness and that of his wife.

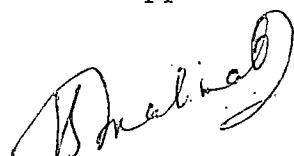
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3. As mentioned in the judgment of this Tribunal dated 25.5.1993, in the application for condonation of delay filed along with the O.A., no satisfactory explanation was given for inaction on the part of the petitioner from 4.2.1987 to 13.1.1988. The applicant was present in the Court in person when the oral judgment was given and this plea of illness was not raised by him even then. This explanation seems to be an after-thought which is not substantiated by any supporting evidence like medical certificates etc.

4. In paragraph 2 of the judgment, this Tribunal also considered the substance of the matter and remarked that "All that happened is that the petitioner has been warned to be careful in future. This is not a grievance which merits to be examined now." The Tribunal also held that travelling and washing allowances were not admissible during the period of suspension. Hence, the O.A. was rejected on merits also.

5. We find that there is no error apparent on the face of judgment and the review application is hereby rejected.

  
( B. N. Dhoundiyal )  
Member (A)

  
( V. S. Malimath )  
Chairman

as