

Central Administrative Tribunal  
Principal Bench: New Delhi

RA No.20/96  
MA 341/96  
OA No.370/90

New Delhi this the 22nd day of July 1996.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)  
Hon'ble Mr K.Muthukumar, Member (A)

B.K.Guru  
Assistant Director (Statistics)  
Monopolies & Restrictive  
Trade Practices Commission  
Travancore House, KG Marg  
New Delhi.

...Applicant.

(By Sh. Madhav Panikar, advocate)

Versus

1. Union of India through  
Ministry of Industry  
Udyog Bhawan  
New Delhi.
2. The Secretary  
Department of Company Affairs  
5th Floor, Shastri Bhawan  
Dr. Rajendra Prasad Road  
New Delhi
3. The Under Secretary  
Dept. of Company Affairs  
5th Floor, Shastri Bhawan  
Dr. Rajendra Prasad Road  
New Delh.
4. The Secretary  
Union Public Service Commission  
Shahjahan Road  
New Delhi
5. Sh. A.K.Viswanathan  
Investigating Officer  
Dept. of Company Affairs  
5th Floor, Shastri Bhawan  
Dr. Rajendra Prasad Road,  
New Delhi.

...Respondents..

O R D E R (Oral)

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

This RA has been filed on 23rd January 1996  
by the respondents in the OA seeking a review of the  
order passed in the OA on 11.8.1994. As the  
application is far beyond the period prescribed for  
filing a review, the review applicants have filed an  
MA No. 341/96 for condonation of delay.

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Apart from stating that the matter was considered at various levels, that an advice was given by the Ministry of Law to file an SLP against the order, nothing has been stated to explain the delay and on what ground the delay is to be condoned. We have gone through the RA. No error apparent on the face of record or any other facts or circumstances which warrant a review of the order has been brought out in the RA. Learned counsel for the review applicants states that a reading of the order sought to be reviewed would give an impression that apart from the ACR for the relevant period, the DPC will have to consider the ACR of the original applicant beyond the relevant period also, that this would create an anomaly and that, therefore, the order has to be reviewed and modified in the interest of justice. A perusal of the order sought to be reviewed does not give any such inference. The Tribunal only followed the ruling of the Full Bench in S.S.Shambu's case and stated that the case of the applicant should be considered by a review DPC in the light of the judgement in Shambu's case. There is, therefore, no error apparent on the face of record or any other circumstances which warrant a review of the order.

3. On a careful consideration of the review application and the MA, we do not find it necessary to



review the order nor are we satisfied that there is any justifiable reason to condone the delay. The RA and the MA are, therefore, dismissed.

(K.Muthukumar)  
Member (A)

(A.V.Haridasan)  
Vice Chairman (J)