

(22)

Central Administrative Tribunal, Principal Bench

R.A.No.34/97 in OA No.2208/90

Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)
Hon'ble Shri K. Ramamoorthy, Member(A)

New Delhi, this 27th day of January, 1997

Shri Hans Raj
s/o Shri Matwal Chand
23, Shivaji Nagar
Agra Cantt. ... Applicant

Vs.

Union of India through

1. Secretary
Ministry of Defence
New Delhi.
2. Director General, EME
MGO's Branch
Army Hqrs., New Delhi.
3. The Commandant
509, Army Base Workshop
Agra Cantt. ... Respondents

O R D E R (By Circulation)

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

The order sought to be reviewed was passed on 1.10.1996 in OA No.2208/90. The present RA has been filed on 16.1.1997 i.e. after the period of limitation. Explanation given is that the applicant being a retired public servant, being sick and being in hospital, on 1.10.1996 was advised rest for two months. It is noticed that no document to show that the applicant had been hospitalised as claimed has been annexed. We are therefore, unable to accept the explanation. The Review Application is absolutely barred by limitation.

2. The ground taken for review has also no substance. It is stated that the applicant's counsel could not attend the Court on the given date as the OA was not expected to be disposed of on that very date. The applicant or his counsel could not assume whether the court would dispose

of the matter on that date or not and on that assumption decide not to appear. In their absence the OA was disposed of exparte but on merit. No ground whatsoever has been adduced to justify a review on the merits of the case.

3. In view of the above discussion, the RA is dismissed.



(K. RAMAMOORTHY)
MEMBER(A)



(A.V. HARIDASAN)
VICE-CHAIRMAN(J)