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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI

RA No. 78 of 1991

Date of decision 2-8-91

OA 479/90

Shri Pooran Singh

Applicant

versus

Union of India and another

...

Respondents

B.S. SEKHON, VC:

Petitioners (respondents in OA 479 of 1990 titled 'Shri Pooran Singh vs., Union of India and another) seek review of the judgement dated 15th January, 1991 rendered in the aforesaid OA.

2. MP No. 1220/91 seeking condonation of delay and MP seeking stay of the operation of the judgment have also been filed.

3. The RA has been filed on 8th March, 1991, refiled on 25th March, 1991. As per para 2 of the MP seeking condonation of delay, copy of the judgement was despatched to the respondents on or after 21st Jan., 1991 and the same was received in the office of the Chief Engineer (Construction) Northern Railway on 7th Feb., 1991. The sole ground stated in support of the request for condonation of delay is that the respondents were under a bonafide belief that the period of limitation for filing of review commences from the date the judgement is received in its office. The aforesaid ground can scarcely be regarded as a 'sufficient cause' justifying condonation of delay. The request for condonation of delay and MP, therefore merit rejection. The same is accordingly hereby rejected.

4. In view of the aforesaid, RA merits rejection on the ground of its being barred by limitation. Even if it be assumed that the request for condonation of delay merits acceptance and the Review Application is accordingly required to be considered, it may be stated that the petitioners have not been able to make out

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any ground justifying review of the judgment. Petitioners have not alleged that the judgment is liable to be reviewed on account of discovery of any new evidence or material which despite exercise of due diligence was not within their knowledge at the time the judgment was made. Vide para 2, the petitioners have averred that the judgment suffers from a mistake apparent on the face of record. The alleged mistakes appearing on the face of record have been set out in sub-paras (A) to (I) of para 2. These sub-paras cannot be said to disclose any error apparent on the face of record from which the judgment suffers. The judgment was made after discussing and examining all the relevant points and arguments and the same does not suffer from an error apparent on the face of record, as averred by the petitioners. Nor is the judgment liable to be reviewed for any other 'sufficient cause' within the meaning of Order XLVII, Rule 1 of the Code of Civil Procedure.

5. In the premises, R.A. as also MP seeking stay of operation of the judgment dated 15-1-91 merit rejection. We may accordingly reject the same by circulation.

Jay.

Car.

15-1-91

Hon'ble Member (A)
(Shri P.C.Jain)

B. S. Sekhon
(B.S.SEKHON)
VICE CHAIRMAN

2-8-91