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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

RA No. 181 of 1991 in  
O.A. No. 1193/90

*Date of decision: October 24, 1991*

Shri RB Malik

Applicant

vs.

Union of India & Ors

Respondents

This review petition contains the prayer for reviewing the judgment passed in OA No. 1193/90 on 9.4.91.

2. The applicant has also filed an M.P. No. 3265/91 containing the prayer for condonation of delay in filing this R.A. According to this M.P., the applicant on 14.5.91 had filed an M.P. before the Tribunal seeking review/clarification of the judgment in O.A. No. 1193/90. According to this M.P., that petition came up before the Tribunal for hearing on 20.7.91, which was adjourned to 22.8.91, then to 11.9.91 and on 20.9.91, the same petition was disposed of. That M.P. was dismissed by the Tribunal. This Review Application was filed by the applicant on 30.9.91. The application containing the prayer for condonation of delay does not contain any fact as to whether the previous M.P. was filed under the wrong advice of the counsel or the delay in filing this R.A. was caused due to misunderstanding of law. The applicant is represented by senior lawyers of long standing who are not expected to give wrong legal advice to the applicant. Hence, the mistaken advice by the legal practitioner cannot be said to be a ground for condoning the delay. The M.P. also does not contain any sufficient cause for condoning the delay. We, therefore, hold that this R.A. has been filed after a long delay without any sufficient cause. We are not inclined to condone the delay.

3. However, in the interest of justice, we proceed to dispose of this Review Application on legal grounds. A party aggrieved by the judgment may pray for review only on three grounds:

- (i) on the ground of discovery of new and important matter or evidence which after exercise of due diligence,

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was not within the knowledge of the party or could not be produced by him at the time when the judgment was passed;

(ii) on ground of some mistake or error/<sup>apparent</sup> on the face of record; or

(iii) for any other sufficient reason.


4 We have carefully perused the grounds for reviewing the judgment. None of these grounds are present which may necessitate to review the judgment passed on 9.4.91. Consequently, this R.A. is dismissed.

I agree.

Clean

24/11/91

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

 24.10.91  
(Ram Pal Singh)  
Vice-Chairman (J)