

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

RA 56/99
MA 471/99 in
OA 3086/91

(12)

New Delhi this the 28th day of June, 1999.

Hon'ble Shri S.R. Adige, Vice Chairman (A)
Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Delhi Administration and Ors.

.. Applicants

(By Advocate Sh. Jog Singh through
proxy counsel Sh. S.L. Lakhanpal)

Versus

Shri Rattan Singh,
Head Constable No. 455/SD
Village-Mangaspur, Qutabgarh,
Narela.

.. Respondent

O R D E R

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

We have carefully considered the Review Application (RA 56/99) in which a prayer has been made that the order dated 27.4.93 in OA 3086/91 may be reviewed and to further pass an appropriate order in the OA. The submission made in the RA is that in certain other more recent judgements of the Tribunal, in Suresh Kumar Vs. UOI & Ors. (OA 990/97) decided on 30.3.98 and Vinod Kumar Vs. UOI (OA 3209/92) decided on 18.3.98 which were on similar facts, the OAs were dismissed, following the judgement of the Supreme Court in State of Rajasthan Vs. B.K. Meena and Ors. (JT 1996(8)SC 684). Referring to the same facts, the respondents have also submitted that even though there has been long delay in filing the RA, the delay may be condoned, although they have stated that they have received the certified copy of the Tribunal's order dated 27.4.93 probably in April/May, 1993 itself.

2. In the above facts and circumstances of the case, we find no satisfactory reason to condone the inordinate delay in filing the R.A. by nearly 6 years and accordingly MA 471/99 is rejected.

(P)

(3)

On merits, the RA also has to be rejected because we are unable to agree with the contention of the applicants (Original respondents) that there has been an error apparent on the face of the record or any sufficient reasons in the impugned order dated 27.4.1993, merely because of a decision taken by the Supreme Court more than 3 years after that order, where a different view has been taken based on the facts of that case.

3. In the result both RA 56/99 and MA 471/99 for condonation of delay are rejected.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)

Member (J)

Arulagam
(S. R. Adige)
Vice Chairman (A)

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