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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

R.A. No.56/98 in
OA No.2690/92

New Delhi this the **30th** day of July, 1998.

HON'BLE MR. N. SAHU, MEMBER (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Ex. Constable Akhilesh Kumar No.937/N.E.
S/o Shri Shiv Charan,
R/o B-8, Sarai Peepal Thala Nanda Road,
Adarsh Nagar,
Delhi-33.Applicant

(By Advocate Shri A.K. Sharma, proxy for Shri Shankar
Raju, Counsel for applicant)

-VERSUS-

Addl. Commissioner of Police,
New Delhi Range,
Police Head Quarters, I.P. Estate,
New Delhi.Respondent

(By Advocate - None)

O R D E R

HON'BLE DR. A. VEDAVALLI, MEMBER (J):

This Review Application is filed against a judgement of this Tribunal dated 13.1.98 in OA No.2690/92 (Annexure RA-1) by the applicant in the said OA.

2. We have gone through the Review Application and the material papers placed on record. Shri A.K. Sharma, learned proxy counsel for Shri Shankar Raju, learned counsel for the applicant has been heard. Matter has been considered carefully.

3. It is seen that the aforesaid judgement of this Tribunal, sought to be reviewed in this Review Application is dated 13.1.98. As per Rule 17 of the Central Administrative Tribunal (Procedure) Rules, 1987, an application for review has to be filed within 30 days from the date of receipt of the copy of the concerned



order sought to be reviewed. While so, the present Review Application is filed on 4.3.98. It is submitted by the review applicant in his Miscellaneous Application for condonation of delay in filing the Review Application that the copy of the said judgement which was ready on 22.1.98 was delivered to him on 28.1.98 and that the application for review could not be filed due to the personal problems of his counsel as stated therein. However, there is no specific provision vesting this Tribunal with any power or discretion to condone the delay in filing the Review Application either under the Administrative Tribunals Act, 1985 or the Administrative Tribunals (Procedure) Rules, 1987. Moreover, as per the law laid down by the Apex Court in the case of K. Ajit Babu & Others vs. Union of India & Others (JT 1997 (7) SC 24) a Review Application has to be filed within the period of limitation prescribed under Rule 17 of the Central Administrative Tribunal (Procedure) Rules, 1987.

4. In view of the above position, we are of the considered opinion that the Review Application is barred by limitation under the aforesaid Rule 17, as the same is filed beyond the period stipulated therein.

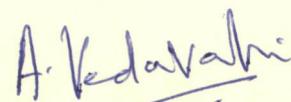
5. On merits, the main grounds urged by the review applicant in support of his application for review are that certain observations of this Tribunal in paragraphs 8 and 9 of the judgement, sought to be reviewed, inter alia, as to the provisions of second marriage of the applicant and bigamy are erroneous and that the legal submissions as to the grounds raised in the OA have not been considered.



6. We have given our anxious consideration to the matter. We notice that the review applicant has failed to establish any error apparent on the face of the judgement in question or any of the other grounds mentioned in Section 22 (3) (f) of the Administrative Tribunals Act, 1985, readwith Order XLVII Rule 1 of the Code of Civil Procedure, 1908. A Review Application can be filed only on the limited grounds as enumerated in the aforesaid provisions, as held by the Apex Court in Ajit Babu's case (supra). Moreover, the review applicant is trying to reagitate the entire matter in a Review Application as if it is an appeal, which is impermissible in law.

7. In view of the aforesaid position, we are of the considered opinion that the Review Application is devoid of any merit.

8. In the result, the Review Application is rejected on the ground of limitation as well as on merits at the preliminary stage itself.



(DR. A. VEDAVALLI)
MEMBER (J)


(N. SAHU)
MEMBER(A)

'Sanju'