

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

RA No.415/93 in OA No.118/92

(A)

NEW DELHI THE 17TH DAY OF MAY 1994.

MR.JUSTICE S.K.DHAON, VICE-CHAIRMAN(J)
MR.B.N.DHOUNDIYAL, MEMBER(A)

Shri Gopi Chand

...

APPLICANT

Vs.

DELHI ADMINISTRATION & ANOTHER..

RESPONDENTS

ORDER(IN CIRCULATION)

This is an application by Delhi Administration and another seeking the review of our judgement dated 8.9.1993 given in OA No.118/92.

2. The OA was called out in the revised list. However, no one appeared on behalf of the Delhi Administration and another. After hearing the counsel for the applicant(Sh.Gopi Chand) and after perusing the record including the counter-affidavit filed by the respondents, we passed a detailed order allowing the OA in part.

3. One of the grounds taken in this review application is that the OA had been filed at a belated stage. By an order dated 5.3.1990, the applicant(Gopi Chand) was discharged from service by the Commandant Home Guards, Delhi. In para 7 of the OA, Gopi Chand inter alia averred that by communication dated 26.11.91, the Commandant Home Guards Delhi informed him that his appeal was considered by the authorities and had been rejected and filed. He filed a copy of the said communication dated 26.11.1991 as Annexure 'B' to the OA. In the reply filed on behalf of the respondents, the fact that by communication dated 26.11.1991, Gopi Chand was informed by the Commandant Home Guards, Delhi about the dismissal of his appeal is not denied. It is to be noted that the said communication of the Commandant Home Guards,Delhi was in reply to the representation of Gopi Chand dated 30.10.1991. The OA was presented in this Tribunal on 14.1.1992. It was, therefore, filed within the prescribed period of limitation from 26.11.1991.

4. We have gone through the contents of the review application and we are satisfied that we did not commit any error much less an error apparent on the face of the record so as to enable us to

84

18

exercise our power under Order 47 Rule 1 CPC wherein our jurisdiction to review our judgements/orders is circumscribed.

5. This review application is rejected summarily.

B.N.DHOUNDIYAL

(B.N.DHOUNDIYAL)

MEMBER(A)

S.K.DHAON

(S.K.DHAON)

VICE-CHAIRMAN(J)

SNS