

OPEN COURT

**Central Administrative Tribunal Allahabad Bench
Allahabad.**

Allahabad This The 10th Day Of November, 2008.

ORIGINAL APPLICATION NO. 1296 OF 2004.

Present:

Hon'ble Mr. Justice A.K. Yog, Member (J)

Vikas Kumar S/o Ram Asrey, R/o 83/257, Bhagga
Das Ka Shiwala, Juhi Kanpur.

.....Applicant

By Advocate: Shri S.C. Tiwari

Versus

1. The Union of India through Principal
Secretary Defence, Secretariate South
Block, New Delhi.
2. The General Manager, Ordinance Equipment
Factory, Kanpur.

.....Respondents

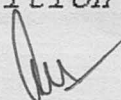
By Advocate: Shri N.C. Nishad

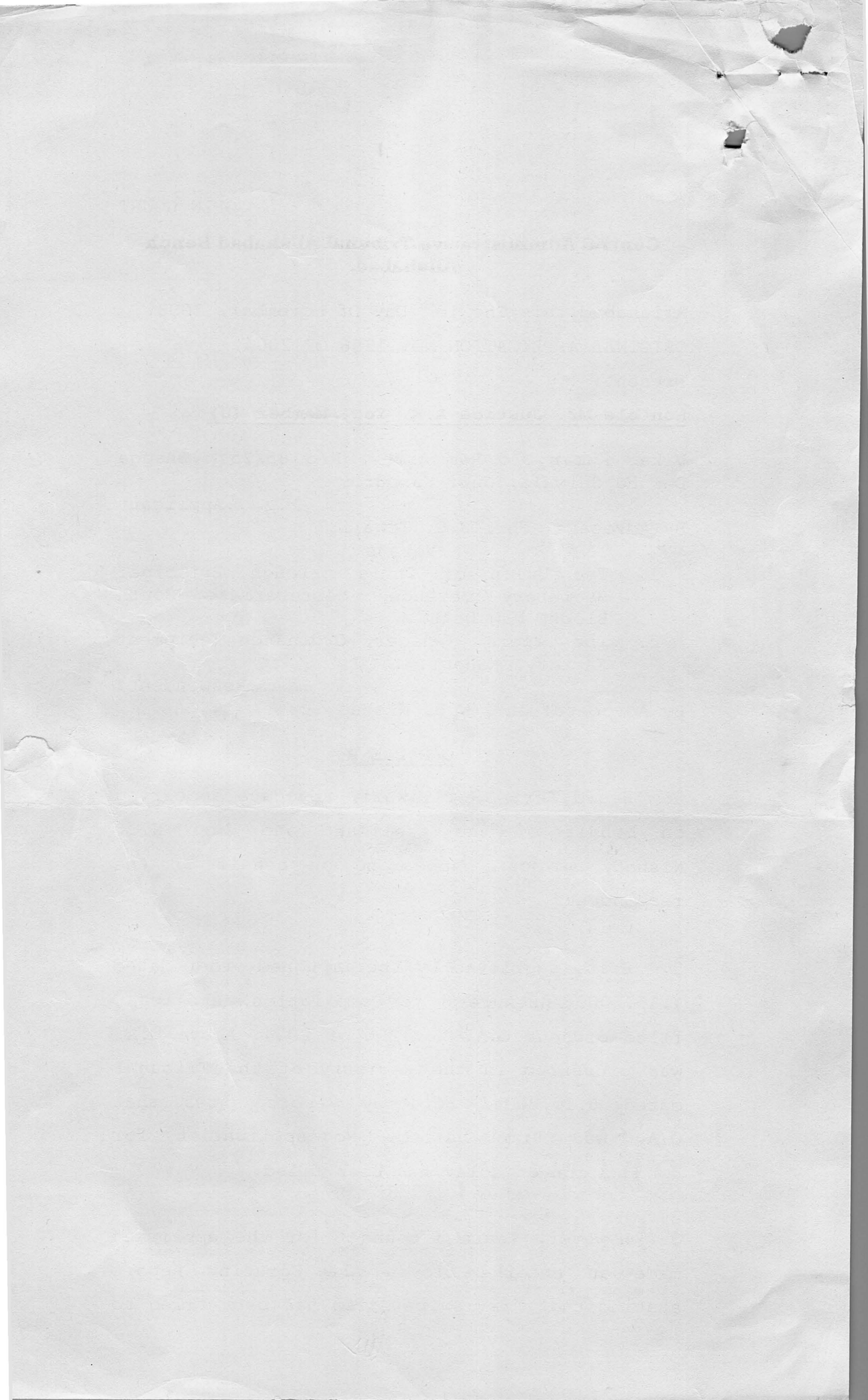
ORDER

Heard Shri S. c Tiwari, Advocate appearing
on behalf of the applicant and Shri N.C.
Nishad, Advocate appearing on behalf of the
respondents.

2. Being aggrieved by the impugned order dated
7.11.2000/Annexure 5 to Compilation. Applicant
filed present O.A. No.1296 of 2004. Above O.A.
was presented in the Registry of the Tribunal
dated 6.10.2004. Scrutiny Report shows that
O.A. was time barred. No application for
condonation of delay has been filed.

3. However, learned counsel for the applicant
made an endorsement on the Scrutiny Report
stating that "review petition has been filed to



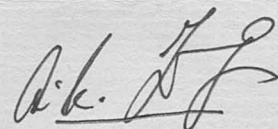


direct opposite party to decide review petition dated 9.1.2004. Hence it is not time barred, sd. Shri S.C. Mishra dated 15.10.2004". Learned counsel for the applicant submitted that said review application has not been decided so far.

4. In view of the above, merit of the impugned order cannot be looked into. This Tribunal can at best require the respondents to consider and decide the Review Petition in accordance with law.

5. O.A. is accordingly disposed of with the direction to the concerned Competent Authority to consider and decide the Review Petition in accordance with law.

6. No order as to costs.



Member (J)

Manish/-