

**Central Administrative Tribunal
 Bangalore Bench, Bangalore**



R.A. No.170/41//2020
 O.A. No.170/309/2017
 M.A. No.170/382/2020

Friday, this the 5th day of February, 2021

Through video conferencing

**Hon'ble Justice L. Narasimha Reddy, Chairman
 Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. K.Chandrashekhar, S/o Kari Gowda Aged about 55 years, Working as contingent casual labour O/o Assistant Commissioner of Central Excise, Marthahalli Division A wing, 6th Floor, Kendriya Sadan, Kormangala Bangalore-560 034
2. Shantha, W/o Basave Gowda, Aged about 48 years, Working as contingent casual labour O/o The Commissioner of Central Excise, Bangalore II Commissionerate, CR Building, Queens Road, Bangalore-560 001.
3. C.Varadaraj S/o Chikkaiah Aged about 40 years, Working as contingent casual labour O/o Additional Commissioner of Custom, ICD White field, Bangalore 560066
4. A.V.Gopal S/o M.R.Venkataswamy Aged about 42 years, Working as contingent casual labour O/o Commissioner of Central Excise, Headquarters, Bangalore III Commissionerate, CR Building, Queens Road, Bangalore-560 001.

.. Review Applicants

(Through Mr. T.C. Gupta, Advocate)

Versus

1. The Union of India through the Secretary Department of Revenue, Ministry of Finance North Block, New Delhi-110 001.

2. The Chief Commissioner of Central Excise,
(Karnataka Circle), CR Building,
Queens Road, Bangalore-560 001.

....Respondents

(Through Mr. Gajendra Vasu, Advocate)



ORDER (ORAL)

Justice L. Narasimha Reddy:

This Review Application (RA) is filed with a prayer to review the order dated 04.06.2019 passed by the Bangalore Bench of this Tribunal. Since there is delay of more than one year in filing the RA, the applicant filed MA No.382/2020, with a prayer to condone the same.

2. Today, we heard Mr. T.C. Gupta, learned counsel for review applicant and Mr. Gajendra Vasu, learned counsel for respondents.

3. Rule 17 of the C.A.T. (Procedure) Rules, 1987 provides for filing of review, however, prohibits the entertaining of the RA, unless it is filed within 30 days from the date of receipt of a copy of the order, sought to be reviewed.

4. The language implied in the Rules is that there exists a clear prohibition against entertaining any RA, if it is filed beyond 30 days from the date of receipt of copy of the order. The Division Bench of the Andhra Pradesh High Court in G.



Narsimha Rao vs. Regional Joint Director of School,
2003 SCC Online AP 1068, interpreted this provision and held that even for the best of the reasons, the delay in filing the RA cannot be condoned at all. We have been following the same in several matters.

5. Therefore, the MA is dismissed. As a result, the RA shall also stand dismissed.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

February 5, 2021
/sunil/jyoti/