

CENTRAL ADMINISTRATIVE TRIBUNAL,  
ALLAHABAD BENCH,  
ALLAHABAD

Review Petition No. 56/95 Date of Order :  
in O.A.No.101 of 1995.

S.P.Mishra & Ors.

...Applicants.

versus

Union of India & Ors.

...Respondents.

O R D E R

JASBIR S.DHALIWAL (JM)

This application has been filed against the orders dated 27-3-1995. The grounds mentioned in the application alongwith annexures have been perused.

2. Admittedly, the applicants were seeking payment of over time wage bills with interest for the period 1986 to 1990 and the application was filed in the year 1995. As per the pleadings, the applicants have been intimated about the rejection of their claims by the respondents on 22-4-1992. The application was thus, dismissed being barred by limitation.

3. The applicants now seek review on the grounds that there were judgments delivered by the Bench of the Tribunal granting such relief to other applicants. It is pleaded that it was after decision of the claims of similarly placed persons that the rights of the applicants were considered to have been established. It is pleaded that dismissal of an application on the ground of limitation is against the principles of natural justice. Certain judgments have been cited in the application.

4. This Review Application was also filed beyond the period limitation. But considering that period of delay is marginal, the delay is condoned and the application is being disposed of on merits. Be it stated that the scope of review of/judgment is very limited. Any grievance that a Court has rendered a judgment which the applicant pleads to be wrong is not a ground to review it. Review is considered only if there is a mistake shown in the judgment which is apparent on the face of the record, and not otherwise. In the present case, it is found that there is no mistake apparent on the face of record. Even the contentions raised in the application are found to be without any merit. The law as it stands now settled by a series of a judgment is that cause of action rises from an action or inaction on the part of the respondents. The applicants were praying for payment of bills relating to the year 1986 to 1990. The applicants have retired in the year 1993. In Bhoop Singh Vs. Union of India & Ors. reported in 1992 (21) A.T.C. Page 675, it was held that judgment in cases of same other persons does not give a fresh period of limitation to similarly placed persons. It was observed that inordinate and unexplained delay and latches by itself is a good ground to refuse relief to a petitioner irrespective of the merit of his claim and such dismissal of a claim would not be hit by Article 14 of the Constitution on grounds of discrimination.

In Ratan Chandra Samant & Ors. Vs. Union of India & Ors. reported in 1994 S.C.C. (L&S) 182, the Supreme Court

once again reiterated the same principle of law. It was observed that delay itself deprives a person of his remedy available in law. In the absence of any fresh cause of action or any legislation, a person who has lost his remedy by lapse of time loses his rights as well. In view of this settled position, under the law, the grounds raised by the applicant in the Review Application are found to be without any merit.

5. The application is, thus, dismissed.

*Jasbir S. Dhaliwal*  
(JASBIR S. DHALIWAL),  
JUDICIAL MEMBER.

\* KKS \*