

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD

CIVIL MISC. REVIEW APPLICATION NO.07 OF 2002

IN

ORIGINAL APPLICATION NO.116 OF 2000  
ALLAHABAD THIS THE 5TH DAY OF SEPTEMBER, 2003

HON'BLE MAJ GEN. K.K. SRIVASTAVA, MEMBER-A

Harish Chandra Sharma,  
S/o Late Bhagwan Prasad Sharma,  
R/o Type-III, Quarter No.4,  
Kendriya Vidyalaya Colony,  
Bulandshahar.

.....Applicant

( By Advocate Shri D. Kaushik )

Versus

1. Union of India,  
through the Secretary,  
Human Resources Development,  
New Delhi.
2. Commissioner,  
Kendriya Vidyalaya Sangathan, (Headquarter)  
18, Institutional Area,  
Shaheed Jeet Singh Marg,  
New Delhi.
3. Deputy Commissioner (Acad),  
18, Institutional Area,  
Shaheed Jeet Singh Marg,  
New Delhi.
4. Assistant Commissioner,  
Kendriya Vidyalaya Sangathan,  
Lucknow Region, Sector - J,  
Aliganj, Lucknow, U.P.
5. Principal, Kendriya Vidyalaya,  
Bulandshahar, U.P.
6. Sri Ravi Shankar Sharma,  
Principal, Kendriya Vidyalaya,  
Bulandshahar, U.P. ....Respondents

(By Advocate Shri N.P. Singh )

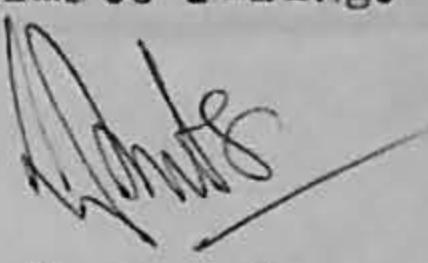
O R D E R

This Review has been filed for review of the order dated 21.11.2001 passed in O.A. No.114/00 alongwith O.A. No.115/00,116/00 and 117/00.

2. This Review Application has been filed alongwith delay condonation application as per Rule 17 of CAT (Procedure) Rules 1987. The Review Application is to be filed within 30 days. Admittedly the order of this Tribunal dated 20.11.01 was received by the review applicant on 22.11.2001 and, therefore, the review application should have been filed by 20.12.2001. The delay has not been explained in proper required manner. It simply shows negligence on the part of review applicant.

3. This court is conscious of the fact that in corporate bodies like the applicants, there are some red-tapism which taken more time in approaching the courts but from perusal of para 3 of the affidavit it appears that the review applicant has tried to explain the delay but the same has been explained in half-hearted manner just in a casual way upto 24.12.2001. The delay has been explained upto 24.12.2001 which could be extended till the re-opening of the Tribunal on 01.01.2003 but the perusal of the records shows that the application for review has been filed on 15.01.2002. There is no explanation worth the name regarding delay from 01.01.03 to 14.01.2003 and as such in the absence of sufficient grounds for condoning the delay this review application under section 5 of the Limitation Act is rejected and as such the review application fails.

4. I would also like to observe that if the review applicant wanted to file the review he should have taken precautions to have given sufficient time for preparation of the review application and its ultimate filing.



Member-A

/Neelam/