

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

OA NO. M.A. 307/96 in R.A./15/96 in OA/606/93
T.A. NO.

DATE OF DECISION 24.6.1996

Divisional Railway Manager Petitioner
Ajmer

Mr. A.S. Kothari Advocate for the Petitioner [s]
Versus

Shri Sukhram Lombaji & Others Respondent

Advocate for the Respondent [s]

CORAM

The Hon'ble Mr. N.B. Patel, Vice Chairman

The Hon'ble Mr. K. Ramamoorthy, Member (A)

JUDGMENT

- 1, Whether Reporters of Local papers may be allowed to see the Judgment ?
- 2, To be referred to the Reporter or not ?
- 3, Whether their Lerdships wish to see the fair copy of the Judgment ?
- 4, Whether it needs to be circulated to other Benches of the Tribunal ?

Divisional Railway Manager
Ajmer

Applicant
(Original Respondent
No.2)

(Advocate: Mr. A.S.Kothari)

Versus

1. Shri Sukhram Lumbaji
2. Shri Rajkumar Parasram
3. Shri Chandrakant Hiralal
4. Shri Machhanal Annaram
5. Shri Sitaram Biharilal
6. Shri Bhuralal Lumbaji
7. Shri Laxmi Narayan Nanakram
8. Shri Bansilal Bhudhraj -9. Shri Radhey Shyam Bhudhraj.
10. Shri Motisingh Gangaram
11. Shri Shyam Singh
12. Shri Sessa Ram

.... Respondents
(Original Applicants)

C/o. General Secretary
Western Railway
Kamdar Sangh,
T.B.Z.-17, Gurunagar,
Gandhidham (Kutch) - 370 201.

ORAL ORDER

M.A./307/96

Dated 24/6/1996

in

R.A./15/96

in

O.A./606/93

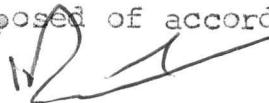
Per Hon'ble Mr. K.Ramamoorthy, Member (A)

The review application has been filed against the judgement dated 19.4.1995. The application has been also accompanied by a Misc. Application No.307 seeking condonation of delay.

The applicant namely Divisional Railway Manager Ajmer has submitted that in filing the Review Application a delay of 219 days has been occasioned. No substantive reason has been advanced by the applicant beyond stating that "the delay has been occasioned to arrive at a decision in concurrence with the Headquarters office Churchgate, Bombay".

Rule 17 provides for a specific time limit of thirty days for filing the Review Application. Even if it were to be argued that the general provision under section 5 of the Limitation Act could be invoked, the petition does not spell out sufficient cause. The inordinate & unexplained delay caused "in getting concurrence of the headquarters office" is ~~even~~ "neither a reason, nor much less a good reason to overreach statutory prescriptions regarding limitation" as has been remarked in a decision of the Central Administrative Tribunal Ernakulam in Central Board, Employees' Provident Fund and another versus N.A. Sebastian as reported in 1996) 32 Administrative Tribunals Cases 332.

In the absence of sufficient cause, the Review Application filed beyond time as prescribed in Rule 17 (1), is ordered to be rejected. M.A.307/96 stands disposed of accordingly.


(K. Ramamoorthy)
Member (A)


(N.B. Patel)
Vice Chairman

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