

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH, PATNA

R.A. No.23 of 1996

(Arising out of T.A.No.6 of 1993)

Date of order 6-12-1996

Kumar Arvind, son of Shri Govind Singh,  
Ex-Pharmacist, Eastern Railway Hospital,  
Mughalsarai, resident of Village Karanigha,  
PO Injore, District Jehanabad.

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Applicant

-versus-

1. The Union of India, through the General Manager,  
Eastern Railway, 17, Netaji Subhash Road, Calcutta-1.
2. The Chief Personnel Officer, Eastern Railway,  
17, Netaji Subhash Road, Calcutta-1.
3. The Medical Supdt., Eastern Railway Hospital,  
Mughalsarai.

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Respondents

CORAM:

Hon'ble Shri K.D. Saha, Member (A)

Hon'ble Shri D.Purkayastha, Member (J)

Counsel for the applicant .. Shri R.K. Jha.

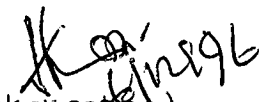
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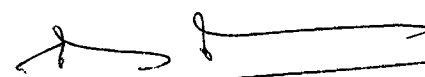
Hon'ble Shri K.D. Saha, Member (A):-

This Review Petition is directed against the order dated 14.12.1995 passed in T.A.6/93 dismissing the application. The applicant has filed the R.A. on 23.4.1996 which is well after the stipulated period of thirty days from the date of receipt of copy of the order in terms of Rule 17(i) of the CAT (Procedure) Rules, 1987. No application seeking condonation of delay involved has been filed. Accordingly, on the ground of delay alone, the application is liable to be dismissed.

2. From the record, it appears that certified copy of the order dated 14.12.1995 passed in T.A.6/93 was supplied to the applicant on 20.12.95. In para 4.7 of the R.A. the applicant submits that on obtaining certified copy of the order dated 14.12.1995, SLP(Civil) No.5819/96 was filed by the applicant before the Hon'ble Supreme Court against the decision of the Tribunal and the SLP was dismissed by the Hon'ble Supreme Court on 29.3.1996. The applicant has filed a copy of the aforesaid order of the Hon'ble Supreme Court in Special Leave to Appeal (Civil) No.5819/96 from the judgment and order dated 14.12.95 in T.A.6/93 of the C.A.T., Patna Bench, by means of a supplementary review petition on 30th October, 1996 (Annexure-A/1 of the Supplementary R.A.). It, therefore, appears that this R.A. was filed by the applicant before the Tribunal for review of its order dated 14.12.95 in T.A.6/93 after an S.L.P. filed against the aforesaid order of the Tribunal before the Hon'ble Supreme Court was dismissed. Evidently, the question of review of the order of the Tribunal does not arise after an SLP filed against it is dismissed by the Apex Court.

3. The R.A. is, therefore, dismissed.

  
(D. Purkayastha)  
Member (Judicial)

  
(K.D. Saha) 6.12.96  
Member (Administrative)