

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GULESTAN BLDG. NO. 6, PRESCOT RD, 4TH FLR.

MUMBAI - 400 001.

REVIEW PETITION NO. (N)16/96. in

ORIGINAL APPLICATION NO. 925/96.

DATED THIS 19th DAY OF MARCH, 1997.

CORAM: Hon'ble Shri B. S. Hegde, Member (J).

Hon'ble Shri M. R. Kolhatkar, Member (A).

Vikas Janbaji Tawade

... Applicant

v/s.

Union of India, Ministry of Communication,  
through the Director General,  
Department of Posts, New Delhi-110 001.

Chief Post Master General,  
Maharashtra Circle,  
Bombay - 400 001.

Post Master General,  
Nagpur Region, Nagpur-440 010.

Director Postal Services,  
Pune Region, Pune - 411 001.

Sr. Supdt. of Post Offices,  
Chandrapur Dn., Chandrapur.

... Respondents.

TRIBUNAL'S ORDER BY CIRCULATION

The applicant has filed this review petition against the order of the Tribunal dated 14/10/96. The grievance of the applicant in the OA was to give direction to the respondents to regularise the services of the applicant as regular Postal Assistant with effect from 16/12/1983 instead of from 5/7/1988, and the entire service period from 16/12/1983 for the purposes of seniority, promotion and for pensionary and other consequential benefits, etc.

2. The applicant was appointed as LEC in the year 1983 instead of appointing him as a postal assistant, which he has accepted without any protest. He has filed MP-199/96(N) for condonation of delay after a lapse of nearly 13 years. No explanation has been offered by applicant in filing a belated OA. His contention is that he is perforced to file this OA on the basis of the

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judgements of the Principal Bench, New Delhi and the Jabalpur Bench of CAT.

3. Though the respondents have not filed their reply, after hearing both the sides, the Tribunal had disposed of the OA as absolutely barred by time since no explanation has been offered by applicant for belated filing of his OA., except stating that his case is on the basis of the decision of the Principal Bench.

4. It is a well settled principle that judgements and orders of the court in other cases do not give cause of action. The cause of action has to be reckoned from the actual date. Therefore, it is not open to the applicant to base his case on the decision rendered by the Principal Bench or any other Benches even if the matter pertains to the same cause, unless he agitates the matter within a specific time and rule.

5. The applicant is well aware of the fact that the scope of review is very limited and he cannot re-argue the case on the same ground. In the circumstances, we do not see any merit in the review petition and the same is dismissed by circulation.

M. R. Kolhatkar

(M. R. KOLHATKAR)  
MEMBER (A)

abp.

B. S. Hegde

(B. S. HEGDE)  
MEMBER (J)