

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY.

Review Petition No.16/93
in
Original Application No.26/92.

Ramakrishna N. Udupa,
9, Tapovan Co-op. Housing Society,
Plot no.10-8, Sector 15, Nerul,
NEW BOMBAY - 400 706.

.. Applicant.

Vs.

General Manager,
Western Railway,
BOMBAY - 400 020.

.. Respondents.

TRIBUNAL'S ORDER ON REVIEW PETITION
BY CIRCULARION

Date : 30.3.93

{ Per : Hon'ble Ms. Usha Savara, Member (A) }

The review petition has been filed by the respondents in O.A.26/92, which was decided on 30.6.1992 with the prayer that the order be reviewed, and the O.A. be restored to file for further hearing. This Review Petition has been filed on 12.2.1993.

2. Ordinarily, no application for review shall be entertained unless it is filed within 30 days from the date of the order of which the review is sought. The Tribunal has the power to condone the delay in the filing of the R.P. where a "sufficient cause" is made out to the satisfaction of the Bench concerned to condone the delay in filing of the R.P. as held by the Full Bench in the case of Nand Lal Nichani & Ors. Vs. Union of India & Ors.(1989) 10 A.T.C., 113. The petitioners before us have given no reason for the delay in filing the R.P. nor have they prayed for condonation of delay, which is over 7 months. In the circumstances, the review petition is barred by limitation

O.A.26/92.

and is not maintainable.

3. On merits also, the petitioners do not have a case. The prayer is for stay of our order on the ground that the Hon'ble Supreme Court has stayed the order in O.A.2573 of 89, i.e. in the case of Wazeer Chand Vs. Union of India & Ors. decided by the Full Bench. The Hon'ble Supreme Court has merely stayed the implementation of the order, it has not declared the law, which would be binding on all lower and subordinate Courts under Article 141 of the Constitution of India.

4. Lastly, this Review Petition does not fall within the four corners of order XLVII Rule 1 of C.P.C. This Tribunal did not commit any error, when it disposed of the order on 30.6.1992. No ground, therefore, exists for either reviewing or modifying the order.

In view of the above, the Review Petition is rejected.

I agree.

J.P. Sharma

(J.P. SHARMA)
MEMBER (J)

At New Delhi

Usha Savara

(USHA SAVARA)
MEMBER (A).

H.