

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH 'GULESTAN' BUILDING NO.6  
PRESCOT ROAD, BOMBAY : 1

Review Petition No. 7/96 and 8/96 in  
Original Application No. 802/93 and 803/93

passed this the 29<sup>th</sup> day of January 1996

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

Union of India  
Ministry of Finance  
and Others.

... Petitioners  
(Original Respondents)

V/s.

Shri T. Sounder Rajan

Shri A.K. Khaladkar

... Opponents  
(Original Applicant.)

O R D E R (CIRCULATION)

( Per Shri M.R. Kolhatkar, Member (A) )

These identical review petitions are in respect of a common judgement and therefore the review petitions are also been disposed of by a common order.

2. These Review Petitions by original respondents are against our judgement dated 10.11.94 which was issued to the respondents on 16.11.94. The Review Petitions ought to have been filed within a month of receipt of the judgement. The review petitions have, however, been filed on 27.11.95 i.e. to say there is a delay of more than 11 months in filing the review petitions. An M.P. 29/96 has been filed for condonation of delay in filing Review Petition 7/96 and M.P. 36/96 has been filed for condonation of delay in filing Review Petition 8/96.

The main reason given for condonation of delay is that they had to consult several offices including the office of CBDT at Delhi. The reasons given are of a general nature and do not explain the delay ~~and in a~~ satisfactory manner. Therefore, the Review Petitions are liable to be dismissed on the ground of delay alone.

3. On merits, it is contended that the Tribunal has failed to note the distinction between the cases decided in 1976 in terms of Rule 8 of R.P. Rules and F.R. 22(c). I have dealt with this aspect of the matter in my judgement in para 7 and I do not find any merit in the contention raised. It is further contended that the Tribunal grossly erred in drawing the conclusion that Bombay charge and Pune charge are treated as a common cadre. I have dealt with this point also in para 7 of the judgement. Thirdly it is contended that the order dated 15.4.76 being patently wrong has been withdrawn by subsequent order dated 24.11.95 in the case of T. Sounder Rajan and by a subsequent order dated 4.3.95 in the case of Shri A.K. Khaladkar. In my view, any action taken by the respondents subsequent to the judgement is irrelevant. The parameters of the Review jurisdiction of the Tribunal are well defined and are contained in Rules under order 47 of CPC. In my view no grounds have been made out for review of my judgement and the review petitions are liable to be dismissed.

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4. For the above reasons the review petitions are dismissed and the order of dismissal is passed by circulation as permissible under the Rules.

(M.R. Kolhatkar)  
Member (A)

NS

CAT/JUDL/BOM/0A.Nos.802,803/93/

Dt:-

Copy to:-

The Union of India & Ors.,  
through Mr. K.D. Kealkar,Adv.,  
1229, Sadashiv Peth,  
PUNE-411 030.

2. Mr. M.A. Mahalle, Adv. for  
both the Applicants.

SECTION OFFICER.