

29

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

.....

R.P.No.48/93

in

O.A. 700/92

Date of order: 7-10-1993

Between

Smt A.S. Kameswari

.. Applicant

and

Union of India Ref. by

1. Secretary,
Min. of Defence,
HQrs Post Office,
New Delhi-11.
2. The Chief of Naval Staff,
Naval HQrs, New Delhi-110 001
3. The Flag Officer, Commanding-in-Chief
Eastern Naval Command
Visakhapatnam
4. P.Madhava Rao
PA to Gen.Manager (Tech.)
Naval Dock Yard
Naval Base, Visakhapatnam

.. Respondents

Counsel for the applicant

: Mr G.Ramachandra Rao

Counsel for the Respondents

: Mr NR Devraj, Sr.CGSC

CORAM:

HON'BLE SHRI T. CHANDRASEKHARA REDDY, MEMBER (JUDL.)

ORDER

This Review Petition is filed under Rule 17 of the Central Administrative Tribunal (Procedure) Rules, 1987 to restore OA 700/92 by reviewing our Judgement dated 26.2.1993 passed in OA 700/92.

2. Facts giving rise to this RP in brief, may be stated as follows:

T. Chandrasekhara Reddy

...2

Dr P. S. ...

930

3. OA 700/92 was filed by the applicant herein to quash the seniority list published by the respondents vide CE/0762 dated 21/29-12-1987 and also to quash the Min. of Defence OM No.8(1)/76/D(Appt.s) dated 1.3.1977 that the same is discriminatory, violative of Article 14 of the Constitution and pass such other order or orders as may deem fit and proper in the circumstances of the case. As per the judgement dated 26.2.1993, the Single Member Bench of this Tribunal had rejected the OA at the admission stage, holding that, this OA had been barred by limitation in view of the provisions of Section 21 of the Administrative Tribunals Act. To come to the conclusion that the OA 700/92 is barred by time, the Bench had relied on a Judgement reported in AIR 1990 SC 10 SS Rathore Vs State of MP. The Bench also gave a finding that there has been delay on the part of the applicant in approaching this Tribunal and in rejecting the OA, it also relied on a decision reported in AIR 1975 SC 1269 Malcom Lawrence Cecil D'Souza Vs Union of India. Aggrieved by the judgement dated 26.2.1993 passed in OA700/92, the applicant had filed the present RP 48/93 for reviewing the said Judgement and restoration of OA 700/92.

4. The contentions raised by the Review Petitioner herein are one and the same as ^{were} raised by the Review Petitioner in RP 52/93 in OA 699/92. RP 52/93 is dismissed today vide separate ^{order} judgement, for the reasons mentioned therein. As the Review Petitioner herein and the Review Petitioner in RP 52/93 are similarly placed in all respects, and, the contentions raised in RP 52/93 and in the present RP 48/93 are one and the same, this RP is also

T. C. M.

22/9/93

31

..3..

dismissed for the very same reasons mentioned in ~~the~~ ^{Order} ~~the~~
~~Judgment~~ passed in RP 52/93 in OA 699/92. No costs.
Append a copy of the order in RP 52/93 in OA 699/92
to this RP also.

T. Chandrasekhara Reddy
(T.CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 7-11- 1993

mvl

Deputy Registrar

To

1. The Secretary, Ministry of Defence,
HQrs Post Office, New Delhi-11.
2. The Chief of Naval Staff, Naval HQrs, New Delhi-1.
3. The Flag Officer, Commanding-in-Chief,
Eastern Naval Command, Visakhapatnam.
4. One copy to Mr.G.Ramachandrarao, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

pvm.

3-8-93
7-11-93

