

CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD.

M.A.No.505 of 1997
In
R.A.SR.No.1315 of 1997
In
O.A.No.87 of 1993

Date of Order:- 3 -4-1998

BETWEEN :

1. Union of India
2. Director-General,
Geological Survey of India,
Calcutta.
3. Dy. Director General,
Geological Survey of India,
Southern Region, Hyderabad.

... Petitioners/
Respondents.

AND

1. S.C.Deb
2. A. Suryanarayana
3. Radhakrishan Punjabi
4. M.A.Kareem
5. Namita Ray
6. Syed Hder
7. M.Jagannadham

... Respondents/
Applicants.

ORDER.

DATE: 3 -4-1998.

The respondents in the O.A. have filed an application for review of the order dated 2.1.1997 passed in the O.A.No.87/93. The have filed the application on 25.4.1997.

2. There is a delay of 68 das in filing the R.A.
3. Hence the have filed this M.A. to condone the delay of 68 days in the affidavit filed along with the M.A. It is stated that on receipt of the order in the O.A. they realised that the O.A. was decided without their counter; that the said fact was not within their knowledge; that since the Tribunal has granted the reliefs to the applicants in the O.A. without considering their counter - without going into the merits and demerits of the case -, the matter was

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... Respondents/
Applicants.

Counsel for Petitioners : Mr. N.R.Devaraj, CGSC

Counsel for Respondents : Mr.V. Venkateswara Rao

CORAM : Hon.Mr.R.Rangarajan, Member(Admn.)
Hon.Mr.B.S.Jai Parameshwar, Member(Judl.)

O R D E R.

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11. The respondents have not explained properly the delay of 68 days caused in filing the Review Application. The respondents have filed the affidavit in the M.A. in a casual manner without giving the necessary details.

12. Hence we are not convinced to condone the delay of 68 days. The respondents have not explained the sufficient or convincing reasons for the delay. Therefore, the M.A. No. 505/97 is liable to be dismissed and is hereby dismissed.

13. Accordingly R.A.SR.No.1315 of 1997 also stands rejected.

प्रमाणित प्रति
CERTIFIED TO BE TRUE COPY

न्यायालय अधिकारी/द्यू परिस्कार (न्यायिक)
Court Officer/Dy. Registrar
केन्द्रीय न्यायालय अधिकरण
Central Administrative Tribunal
हैदराबाद न्यायालय
HYDERABAD BENCH

केस संख्या MA 505/97, in
CASE NUMBER R.A.S.R.1315/97
निर्णय दा तारीख

Date of Judgement 3-4-98
मित्र दा तारीख

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अनुमात दीर्घ दीर्घ (पायनी) दीर्घ दीर्घ (पायनी)
Section Officer (J) Dy. Registrar (J)

of the record. However, this Tribunal made observation that the order in the M.A. categorically indicated that the respondents had not filed any reply.

7. The R.A.46/96 came to be rejected on the ground that the applicants in the R.A. had not submitted any objections to the delay condonation application(M.A. No.583/95). The view taken by this Tribunal in the said M.A. is squarely applicable to the facts of this case.

In this case also the applicants in the R.A. though given sufficient opportunity of about nearly 3 years and odd failed to submit any reply. They have not disclosed any reasons for not filing any reply to the O.A. Their lapse in not filing any reply to the O.A. cannot be overcome by seeking a review of the order and the applicants in the R.A. could not point out any error apparent on the face of the record in the order passed by this Tribunal on 2.1.1997. As the applicants had failed to submit any reply to the O.A. we feel that in the absence of satisfactory explanation, they cannot file an application for review on the ground that there is an error apparent on the face of the record.

8. In this view of the matter, we feel that the R.A.SR filed by the applicants may not be entertainable.

9. The learned counsel for the respondents submitted that the RA need not be rejected on the ground that the counter was not filed in the OA as it involves revision of the entire structure and thereby involves huge expenditure to the Government.

10. The yardstick under which law will be applied will be the same whether it involves huge expenditure or otherwise.