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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH

AT HYDERABAD

THIS THE 27 DAY OF OCTOBER 1997

Review Application No. 2876 of 1997

83/97

In

Original Application No. 1535 of 1994

Between:

K. Bikshalu

.. .. Applicant

Versus

1. The Chief Post Master General
Andhra Pradesh, Hyderabad
2. The Post Master General, Vijayawada
Region, Vijayawada
3. The Superintendent of Post Offices
Tenali Division, Tenali, Guntur
District

.. .. Respondents

Counsel for the Applicant : Shri ~~M. Tirumala Rao~~ (w.c.)
~~M. Tirumala Rao~~

Counsel for the Respondents Shri N.R. Devaraj, Senior
Standing Counsel for the
Respondents.

CORAM:

HON'BLE SHRI JUSTICE B.C.SAKSENA, V.C. (J)

HON'BLE SHRI R. RANGARAJAN, MEMBER (A)

O R D E R

JUSTICE B.C.SAKSENA, V.C. (J)

Review application No. 2876/97 as also Misc. application No. 896/97 seeking condonation of delay in filing the review application have been perused. The order of which review is sought was passed in OA 1535/94 on 10.9.96 and the review application has been filed on 9.9.97. A delay of 342 days has occurred for which an application for condonation of delay has been filed. We take up M.A. 896/97 first. After having given our due consideration to the misc application seeking condonation of delay we do not find any good reasons for condoning the delay. As a matter of fact Rule 17 of the CAT

Procedure Rules 1987 is in mandatory terms. It reads as under:


17(1)

" No petition for review shall be entertained unless it is filed within 30 days from the date of receipt of copy of the order sought to be reviewed. "

If this provision is contrasted with some other rules in the said Procedure Rules it would be apparent that whenever the rule making authority entrusted the power to the Tribunal to pass orders even beyond the specified period for filing certain applications, it has specifically been provided that on " good and sufficient reasons" the Tribunal may pass orders. In the present case, no such provision can be made to Sec. 21(3), Rule 18, Rule 15(ii) and 16(ii).

2. The explanation in the affidavit for the delay is wholly unsatisfactory. M.A. 896/97 therefore deserves to be rejected and is accordingly rejected.

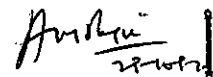
3. We have gone through the review application. The grounds taken do not make out a case warranting review of the order. A review petition cannot be utilised to seek rehearing of the OA or reconsideration of the points which have been duly considered while deciding the OA. There is no error apparent on the face of the record. the review petition lacks merit and is accordingly rejected summarily.


(R. RANGARAJAN)
MEMBER(A)


(B.C. SAKSENA)
VICE CHAIRMAN (J)

Dated: October 27 , 1997

UV


D.R.

RASS. 2876/97 in OA. 1535/94

Copy to:-

1. The Chief Post Master General, Andhra Pradesh, Hyderabad.
2. The Post Master General, Vijayawada Region, Vijayawada.
3. The Superintendent of Post Offices, Tenali Division, Tenali, Guntur Dist.
4. One copy to Mr. ^{M. Timmalaboi.} ~~P.V. Krishnasiah~~, Advocate, CAT., Hyd.
5. One copy to Mr. N.R. Devaraj, Sr. CGSC., CAT., Hyd
6. ~~One copy to D.R. (A) CAT., Hyd.~~
7. One duplicate.
8. one copy to K. Bikshaku, Lower Grade postal Asst, Repalle Head post office, Repalle, Guntur Dist.

srr

11/11/97 (6)
TYPED BY
COMPILED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

Justice B.C. Saxena
~~THE HON'BLE SHRI R. RANGARAJAN~~ : MEX/

~~B.C. Saxena~~
THE HON'BLE SHRI B.S. JAI PARAMESHWAR :

~~M (J)~~
R. Rangarajan m(A)

Dated: 27-10-97

ORDER/JUDGMENT

~~M.A./P.A./C.A. NO.~~ RASR-2876/97
RA. 83 / 97
in

O.A. NO. 1535/94

Admitted and Interim Directions
Issued.

Allowed

Disposed of With Directions

Dismissed as withdrawn

Dismissed for Default

~~Ordered/Rejected~~ RA

No order as to costs.

YLKR

II Court

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

वेबसाइट (WEBSITE)
10 NOV 1997

हैदराबाद न्यायपीठ
HYDERABAD BENCH