

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ; HYDERABAD BENCH
AT HYDERABAD

MA 88/2001 in RASR 2722/2000 in OA 780/99

DATE OF ORDER : 2.4.2001

Between:-

P.Ramulu

...Applicant

And

1. Sri P.Venkata Swamy,
Sub Divisional Inspector (Postal),
Narayanpet, Mahaboobnagar Dist.

2. The Superintendent of Post Offices,
Mahaboobnagar.

...Respondents

3. Sri R.Venkataiah,
S/o Ramulu, age 29 years
working as EDMC Packer,
Lalakot, SO, R/o Lalakota,
Mahaboobnagar Dist.

...Respondent/Applicant in
OA 780/99

-- -- --

Counsel for the Applicant : Shri N.R.Devaraj

Counsel for the Respondents : Shri S.Ramakrishna Rao

-- -- --

CORAM:

THE HON'BLE JUSTICE SHRI V.RAJAGOPALA REDDY : VICE-CHAIRMAN

THE HON'BLE SHRI S.K.AGRAWAL : MEMBER (A)

(Order per Hon'ble Justice Shri V.Rajagopala Reddy, VC).

-- -- --



...2.

(Order per Hon'ble Justice Shri V.Rajagopala Reddy, VC).

-- -- --

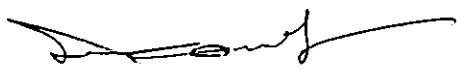
This is an application for condonation of delay of 324 days infiling the Review Application in OA 780/99 filed by a different person.

2. OA 780/99 was filed questioning the validity of the notification dated 5.4.1999 which was issued to fill up the post of EDMC/DA. The O.A. was allowed and the notification has been quashed by order dated 23.7.1999.

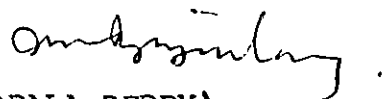
3. It is the case of the applicant that he had applied in pursuance of the above notification and had the said notification was not quashed, the applicant being the meritorious candidate ~~he~~ would have better chances of ^{being} appointed as EDMC/DA. He therefore filed the above Review Application questioning the validity of the order passed in the above O.A. It is stated that he came to know of the order in the OA on 23.6.2000 and immedietly thereafter he filed the present RASR along with MA on 17.7.2000. Hence it is stated that the delay in filing the R.A. is justified.

4. Heard the counsel for the applicant and respondents. The limitation for filing Review Application is 30 days from the date of the order, not from the date of knowledge of the order and even if the applicant was not a party ~~to~~ the above judgement, if he seeks to review order, he has to file the Review Application within the period of limitation of 30 days from the date of the order. We are also not satisfied that the applicant came to know of the order of the Tribunal in the above O.A. only after

nearly one year. The applicant having applied for the post of EDMC/DA against the above notification, it cannot be accepted that he was not aware of the quashing of the notification for a period of one year. There is no material to show that he came to know about the order only on 26.3.2001. The ipse dixit of the applicant cannot be accepted. We do not therefore find any proper explanation of inordinate delay of 324 days. The M.A. is therefore dismissed. Consequently the R.A.S.R.No.2722/2000 also stood dismissed. No order as to costs.



(S.K.AGRAWAL)
Member (A)



(V.RAJAGOPALA REDDY)
Vice-Chairman

Dated: 2nd April, 2001.

Dictated in Open Court.

avl/

4/4/2001