

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH
JAIPUR.

R.P.No.58/93

Dt. of order: 16.7.93

Hanuman Prasad Sharma

: Applicant/petitioner

Vs.

Union of India & Ors

: Respondents.

CORAM

Hon'ble Mr. Justice D.L. Mehta, Vice Chairman

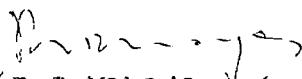
Hon'ble Mr. B.B. Mahajan, Member (Adm.).

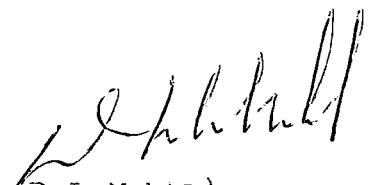
PER HON'BLE MR. B.B. MAHAJAN, MEMBER (ADM.).

We have considered the above Review Petition under Rule 17(3) of the Central Administrative Tribunal (Procedure) Rules, 1987.

2. The Review Petition against our order of 1.2.'93 has been filed on 11.6.93. The period of limitation prescribed in Rule 17 is 30 days from the date of order. The petition is thus delayed by over 3 months. The petitioner has filed an M.P. for condonation of delay (M.P.No.370/93). In that M.P., he has stated that he was hoping to get a free copy of the order and when it was not made available, an application was moved on his behalf for obtaining a copy which was delivered to him on 13.5.93 and the review petition was submitted within 30 days of the receipt of the copy of the order. According to the report of the Registry, the copy of our order was despatched to the applicant on 16.2.93, the same should be presumed to have been reached to the applicant in the normal course before the end of February 1993. The explanation for the delay is thus not convincing. However, taking a liberal view of the matter enjoined by the Hon'ble Supreme Court in Land Acquisition Collector Anantnag Vs. Katiji AIR 1987 SC 1353, the delay is condoned.

3. One of the ground on which the T.A. was dismissed by our order dated 1.2.93 was that the copy of the order which the applicant sought to be set aside has not been produced. It has not stated in the Review Petition that the copy of the order had been produced. It can not therefore be held that there was any error apparent on the face of the record in rejecting the T.A. The other grounds mentioned in the Review Petition are of no avail when the T.A could be rejected on the ground of nonproduction of copy of the order sought to be set aside. There is therefore no force in the Review Petition, the same is accordingly dismissed in limine.


(B.B. Mahajan)
Member (Adm.)


(D.L. Mehta)
Vice Chairman.