

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH

JAIPUR, this the 25<sup>th</sup> day of January, 2012

Review Application No. 2/2012  
(Transferred Application No.3/2008)  
With Misc. Application No.21/2012)

1. Radhey Shyam Meena s/o Shri Govind Narain r/o 11/64, Telecom Colony, Jaipur
2. Jai Mangal Shah s/o Shri Ram Jaman Shah r/o P-5, Sanmati C-1, Jaipur
3. Ram Chandra Swami s/o Shri Dhanna Lal r/o P.B.69, Jaipur Circle, Jaipur
4. Nand Lal Bhatia s/o Shri Thakur Das r/o C-311, Vidhyadhar Nagar, Jaipur
5. Ram Ratan Sharma s/o Shri Bhanu Kr. Sharma r/o 8, Krishna Nagar-A, Kartarpura, Jaipur
6. Hanuman Sahai Sharma s/o Shri Birdhi Chand Sharma, r/o 58, Gayatri Nagar, Jaipur.
7. Hari Narayan Rajput s/o Shri Mahadev Singh, r/o 46, Vardh Vihar, Agra Road, Jaipur
8. Ram Gopal Rana s/o Shri Mangi Lal r/o Ganesh, C-1, Moti Dungari, Jaipur
9. Prakash Chand Meena s/o Shri Hari Ram Meena r/o Plot No.13, Meena Colony, near J.P. Colony, Jaipur
10. Balu Ram Gurjar s/o Ghasi Lal, r/o P&T Colony-1, C-Scheme, Jaipur
11. Raman Lal Sharma s/o Shri Gangadhar Sharma r/o 155, Surya Nagar, Jaipur
12. Kalu Ram s/o Kajod Mal, r/o B-117, Arjun Nagar, Jaipur

13. Prabhu Narain Meena s/o Shri Sedu Ram, r/o 1-C-125, Gujar Basti, Jaipur
14. Om Prakash Sharma s/o Shri Rameshwar Lal Sharma, r/o 73, Kundan Nagar, Jaipur
15. Kanhaiya Lal Yadav s/o Shri Nanag Ram Yadav, r/o 214, Jagannathpuri, Jaipur
16. Suraj Narain Mali s/o Shri Nanag Ram Mali r/o 119, SK C-1, Jaipur
17. Ravindra Kumar Sahni s/o Shri Badri Narain r/o A-176, Murlipura, Jaipur
18. Ram Narain s/o Shri Ram Chandra, r/o 488, Prabatpuri, Agra Road, Jaipur
19. Brij Mohan Yadav s/o Shri Nanag Ram Yadav r/o 216, Jagganathpuri, Jhotwara Road, Jaipur
20. Laxmi Narain Meena s/o Shri Pratap Meena, r/o Suraj Colony, 5, Panna Ki Chowki, Gangapole Road, Jaipur
21. Shiv Shanker s/o Shri Radhey Shyam r/o Plot No.4, Niboon Ka Bagh, Jaipur
22. Babu Lal Saini s/o Shri Bhagwan Sahai r/o resident of E-688, Vaishali Nagar, Jaipur.
23. Nathu Lal Mali s/o Shri Balu Ram r/o Mahadev Nagar, Meenawala, Sirsi Road, Jaipur
24. Chhotu Lal Meena s/o Shri Ram Chandra r/o 68, Bulabnagar, near Sanganer Railway Station, Jaipur
25. Ram Prakash Sharma s/o Shri Onkar Sharma r/o near Adarsh School, Jhotwara, Jaipur
26. Sita Ram Sharma s/o Shri Shridhar r/o Telecom C-1, Malviya Nagar, Jaipur
27. Kheru Ram Raigar s/o Shri Bodu Ram Raigar r/o Raigeron Ka Mohalla, Achrol, Jaipur
28. Ramesh Chand Harijan s/o Shri Nathu Lal, r/o Jawahar Nagar, Tila No.4, Jaipur.
29. Dayanand Saini s/o Shri Bulji Ram r/o B-42, Ram Nagar, Jaipur

30. Kalu Ram Saini s/o Shri Jutha Ram r/o Sawa Nadi Pulia, Bandikui, Distt. Dausa.
31. Satya Narayan Kholia s/o Shri Omilal r/o Village Goner, Raihar Mohalla, Goner, Jaipur
32. Rameshwar Lal Sain s/o Shri Kalyan Sain r/o Village Dudu PO Devli, Distt. Jaipur
33. Boda Ram s/o Shri Chiman Lal r/o B-26-27, Hasanpura, Jaipur
34. Gopal Lal Meena s/o Shri Kalyan Mal r/o Biiwa Khurd, Bassi.
35. Prahlad Sain s/o Shri Bhanwar Lal r/o DD-177, Shanti Nagar, Jaipur
36. Deep Chand s/o Shri Ghasi Lal r/o M-6, Ram Nagar, Sodala, Jaipur
37. Gulab Chand Aheer s/o Shri Laxmi Narain r/o B-81, Vinoba Vihar, Vaishali, Nagar, Jaipur
38. Shiv Shanker Gautam s/o Shri Jhamak Lal, r/o 595, Devi Nagar, Jaipur
39. Ajendra Singh s/o Shri Hari Singh r/o H.No.64-65, Hasanpura, Ajmer Road, Jaipur
40. Satya Narain Meena s/o Shri Sugna Ram r/o D-5, Shanti Path, Jaipur
41. Kana Ram Sharma s/o Shri Bheru Ram r/o B-43, Sita Bari Tonk Road, Jaipur
42. Chauth Mal Malii s/o Shri Gangaram r/o Plot No.47, Sanskar Vihar, Meenawala, Sirsi Road, Jaipur
43. Ram Gopal Baruda s/o Shri Kalyan Sahai r/o 49, Saraswati Nagar, Jhotwara, Jaipur
44. Shriram Yadav s/o Shri Bhagwan Sahai r/o Village Sector 9/539 Ke Pass, Malviya Nagar, Jaipur
45. Rameshwar Lal Bunkar s/o Shri Narain Lal r/o B-19, Shriram Nagar, Jhotwara Road, Jaipur
46. O.P.Chaubey s/o Shri Ram Sahai Chaubey r/o Loyal, Tehsil Bonli, Distt. Sawai Madhopur.
47. Ramesh Chand Daubhi s/o Shri Ram Pal r/o Subhash Nagar Colony, near Railway Colony, Sawai Madhopur.

Applicants No. 1 to 43 presently working on the post of Telecom Mechanic and Applicants No. 44 and 45 are working as Regular Mazdoor in PGMTD Jaipur and Applicants No. 46 and 47 are working as Telecom Mechanic under Telecom District Manager, Sawai Madhopur O/o the Principal General Manager, Telecom District, Jaipur

.. Applicants/respondents

Versus

1. Union of India through the Secretary, Department of Telecom and Chairman, Telecom Commission, Department of Telecom, Sanchar Bhawan, New Delhi.
2. The Chairman and Managing Director, Bharat Sanchar Nigam Ltd., 20, Ashok Road, New Delhi.
3. The Chief General Manager, Telecom, Rajasthan Circle, Jaipur
4. The Principal General Manager, Telecom District, Jaipur
5. The Telecom District Manager (TDM), Sawaimadhopur

.. Non-applicants/review applicants

(By Advocate: Shri Inderjeet Singh)

O R D E R (By Circulation)

The present Review Application has been filed by the respondents in the Transferred Application for reviewing/recalling the order dated 22.09.2011 passed in TA No.03/2008, Radhey Shyam Meena and ors. vs. Union of India and ors.

2. The order in the Transferred Application was passed on 22.9.2011 and the present Review Application has been filed on



23.1.2012 i.e. after a period of four months. As per clause (1) of Rule 17 of the Central Administrative Tribunal (Procedure) Rules, 1987, it is provided that no application for review shall be entertained unless it is filed within thirty days from the date of receipt of copy of the order sought to be reviewed.

3. The applicants in the Review Application have also filed a Misc. Application No.21/2012 for condonation of delay in filing the Review Application. We have perused the explanation given by the applicants in the Misc. Application for condonation of delay but we are not satisfied with the explanation so given for condoning the delay.

3. Further, the Hon'ble Supreme Court in para 4 of the judgment in the case of K.Ajit Babu vs. Union of India, 1998 (1) SLJ 85 observed as under:-

“.....Besides that, the right of review is available if such application is filed within the period of limitation. The decision given by the Tribunal, unless reviewed or appealed against, attains finality. If such a power to review is permitted, no decision is final, as the decision would be subject to review at any time at the instance of party feeling adversely affected by the said decision. A party in whose favour a decision has been given cannot monitor the case of all times to come. Public policy demands that there should be end to law suits and if the view of the tribunal is accepted the proceedings in a case will never come to an end. We, therefore, find that a right of review is available to the



aggrieved persons on restricted ground mentioned in Order 47 of the Code of Civil Procedure, if filed within the period of limitation."

4. Considering the provisions of Rule 17 of CAT (Procedure) Rules, 1987 and the ratio decided by the Hon'ble Supreme Court in the case of K.Ajit Babu (supra), we are of the considered view that the Review Application is time barred and cannot be entertained at such a belated stage. Accordingly, the Review Application and Misc. Application both are not maintainable and, therefore, dismissed by circulation.



(ANIL KUMAR)  
Admv. Member



(JUSTICE K.S.RATHORE)  
Judl. Member

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