

CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH

RA No.02/2006 with MA No.44/06 in OA No.383/2005.

Jaipur, this the 8th day of March, 2006.

J.C. Sardana
S/o Late Shri Guranditta Ram,
Aged about 75 years,
R/o 129, Himmat Nagar,
Tonk Road,
Jaipur.

... Applicant.

By Advocate : Shri C. B. Sharma.

Vs.

1. Union of India
Through General Manager,
North Western Zone,
North Western Railway,
Jaipur 302 006.
2. Union of India,
Through General manager,
Western Railway, Church Gate Mumbai.
3. Divisional Railway Manager,
North Western Railway,
Jaipur Division,
Jaipur.
4. Shri N. K. Dawani,
Divisional Commercial Superintendent
Through Chief Commercial Manager,
Western Railway, Church Gate,
Mumbai.

... Respondents.

: O R D E R (BY CIRCULATION) :

The applicant has filed this RA against the order dated 10.11.2005 in OA No.383/2005. Along with the Review application, the applicant has filed Miscellaneous Application No.44/2006 for condonation of delay. It is stated in the said MA that the copy of the judgment dated

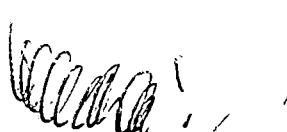
10.11.2005 was received on 25.11.2005. The present Review Application has been presented only on 20.02.2006. Admittedly, the Review Application has not been filed within 30 days from the date of receipt of the copy of the order i.e. up to 25.12.2005. Since the application has been filed beyond 30 days, as such, in view of the law laid down by the Full Bench of Andhra Pradesh High Court in the case of G. Narasimha Rao v. Regional Joint Director, 2005 (4) SLR 720, this Tribunal has no jurisdiction to condone the delay. The said judgment is squarely applicable in the instant case. The Hon'ble High Court considered the provisions of Section 22 (3) of the Administrative Tribunals Act 1985 and Rule 19 of Andhra Pradesh Administrative Tribunal (Procedure) Rule 1989. Rule 19 of the Andhra Pradesh Administrative Tribunal (Procedure) Rule 1989 is in the following terms :-

"19. No application for review shall be entertained unless it is filed within thirty days from the date of which the review is sought."

The said Rule 19 is para materia to Rule 17 of the Central Administrative Tribunal (Procedure) Rules 1987. Thus, in view of the law laid down by the Full Bench of the Hon'ble High Court in the case of G. Narasimha Rao (supra) and in the absence of any provisions prescribed for condoning the delay either in Administrative Tribunal Act or in Central Administrative Tribunal (Procedure) Rules, this Tribunal has no jurisdiction to

condone the delay in taking aid and assistance of either sub-section (3) of Section 21 of the Act or Section 29 (2) of the Limitation Act.

2. Accordingly, the RA as well as MA No.44/2006, filed for condonation of delay, are hereby dismissed.


(M. L. CHAUHAN)
JUDICIAL MEMBER


(A. K. AGARWAL)
VICE CHAIRMAN

P.C./