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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL JAIPUR BENCH
J A I P U R .

R.A. No. 7/95

Date of order: 10. 9.1996

&
M.A. No. 75/95

Union of India and another : Applicants

versus

Mahavir Prasad Tak : Respondent

Mr. U.D. Sharma, counsel for the applicants
Mr. Shiv Kumar, counsel for respondent

CORAM:

HON'BLE SHRI GOPAL KRISHNA, VICE CHAIRMAN
HON'BLE SHRI O.P. SHARMA, MEMBER (ADMINISTRATIVE)

O R D E R

(PER HON'BLE SHRI GOPAL KRISHNA, VICE CHAIRMAN)

This is a Review Application alongwith an MA for condonation of delay. The applicant has sought review of the order of the Tribunal passed in OA No.673/92 on 29.7.1994. The present review application was filed on 3.2.1995. The review application ought to have been filed within 30 days from the date of receipt of a copy of the order sought to be reviewed as provided in Rule 17 of the C.A.T. (Procedure) Rules, 1987. The counsel for the applicants has conceded that there has been a delay of 125 days in filing this review application. He relied on the case reported in 1994 (5) SLR 638 State of Rajasthan vs. Umrao Singh, in which the Hon'ble Supreme Court had condoned the delay under Section 5 of the Limitation Act since the delay in filing the appeal was caused on account of administrative exigencies. The connected OA was transferred to the Chittorgarh Bench of the Tribunal from Jodhpur Bench in the

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presence of the counsel for the parties, therefore, it does not lie in the mouth of the applicants to say that they had no knowledge about the transfer of the connected OA to this Bench of the Tribunal. Even if the MA for condonation of delay were to be allowed, the P.A. shall not be maintainable on merits for the simple reason that the impugned decision was taken after a perusal of the records which is borne out from the impugned order itself. The respondent Shri Mahavir Prasad Tak (applicant in the OA) has been re-engaged in service w.e.f. 19.5.1995 by the applicants.

2. In the circumstances, we do not see any good ground to interfere with the impugned decision by way of review. The review application is, therefore, dismissed. The MA for condonation of delay stands disposed of accordingly.

O.P. Sharma
(Member (A))

Gopal Krishna
(Vice Chairman)