

**CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH; JABALPUR.**

**Review Application No. 10/2004
In O.A. No. 793/98**

Date of decision: 01.06.2004

Hon'ble Mr. J K Kaushik, Judicial Member.

Hon'ble Mr. A K Bhatt, Administrative Member.

1. The Union of India, through the Secretary, Ministry of Tele Communication, Deptt. Of Telecom, Sanchar Bhawan, 20 Ashoka Road, New Delhi.
2. The Chief General Manager, Bharat Ratna Bhim Rao Ambedkar, Institute of Telecom Training, Ridge Road, JABALPUR.(M.P)
3. The Director (T.E Department of Telecommunications) Sanchar Bhawan, Parliament Street, New Delhi. 110 001

Applicants/Respondents.

Mr. S.P. Singh, Counsel for the applicants

VERSUS

1. Shri C.R. Makhijani, S/o late Shri Trilok Chand, Aged about 51 years, presently working as SDE, O/o C.G.M., B.R. B.R.A. I.T.T., Ridge Road, Jabalpur (M.P.).
2. Shri Madhav, Khatri, S/o late Shri Ramdas Aged about 49 years, presently working as SDE, O/o C.G.M., B.R. B.R.A. I.T.T., Ridge Road, Jabalpur (M.P.).
3. Shri D.K. Beohar, S/o late Shri D.L. Beohar, Aged about 49 years, presently working as SDE, B.R. B.R.A. I.T.T., Ridge Road, Jabalpur (M.P.) 482001.
4. Shri Harish Chandra Shukla, S/o Shri Mukut Dhari Shukla Aged about 53 years, presently working as SDE, O/o B.R. B.R.A. I.T.T., Ridge Road, Jabalpur (M.P.) 482001.

: Respondents/ applicants.

ORDER

Per Mr. J K Kaushik, Judicial Member.:

This review application No. 10/2004 has been filed by the Union of India and others seeking review of the order dated 24.07.2003 at Annex. A R/4 wherein the following direction was given:

" In view of what has been said and discussed above, the Misc. Application for taking the relied upon judgement of **K.K. Singh** on record is allowed. The Original Application is also accepted in part and the official respondents are directed to step up the pay of

all the applicants at Rs. 2,450/- with effect from 1st May 1990 at par with the respondent No. 4 Shri S. Jayaraman and they will be entitled to all consequential benefits. However, consequential benefits would be on notional basis and the actual arrears shall be payable from the date one year prior to the date of filing of the Original Application i.e. 12th October, 1997. This order shall be complied with within a period of three months from the date of receipt of a copy of this order. In this facts and circumstances of the case, parties are left to bear their own costs.

Along with the review application M.A. No. 216/2004 has also been filed for condonation of delay in filing the R.A.

2. We have perused the pleadings and find that the review application is not supported by any affidavit as per the mandate of Rule 17 (5) of CAT (Procedure) Rules, 1987. The contents of the same are extracted as under:

" 5. No application for review shall be entertained unless it is supported by a duly sworn affidavit indicating therein the source of knowledge, personal or otherwise, and also those which are sworn on the basis of legal advice. The counter affidavit in review application will also be a duly sworn affidavit wherever any averment of fact is disputed."

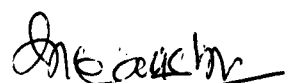
In this view of the matter the very review application cannot be entertained.

3. Having come to the conclusion that the very review application is not maintainable and cannot be entertained, we have no option except to reject the review application as well as the M.A for condonation of delay without examining their respective merits. The same stands rejected accordingly.

4. Before parting with the case, we are constrained to observe that the Registry has not taken judicial notice of the relevant rules and such things should be pointed out by the Registry and the cases should be registered only when they are in conformity with the rules. We hope the registry shall be cautious in future.



(A K Bhatt)
Administrative Member



(J K Kaushik)
Judicial Member