

Central Administrative Tribunal
Principal Bench
New Delhi

R.A.No.23/2017
in
O.A.No.1756/2015

New Delhi, this the 23rd day of January, 2017

Hon'ble Shri V. Ajay Kumar, Member (J)

Dr. Dilip Kumar
S/o Late Sh. B.N.Sharma,
R/o C-9/9698 Vasant Kunj
New Delhi – 110 070. ... Review Applicant

Versus

1. Indian Council of Agricultural Research (ICAR)
Through the Secretary, Krishi Bhawan
Dr. Rajendera Prasad Road
New Delhi – 110 001.
2. Director
Central Institute of Fisheries Education (CIFE)
Panch Marg, Off. Yari Road
Versova, Andheri (West)
Mumbai – 400061.
3. Finance & Accounts Officer
Central Institute for Research on Cotton Technology
(CIRCOT)
Adenwala Road, Mantunga
Mumbai, Maharashtra– 400 019... Respondents in Review Application

O R D E R (By Circulation)

Both the OA No.1756/2015, for the reliefs claimed therein, and the MA, filed for seeking condonation of delay in filing the OA, were dismissed on merits by this Tribunal by its Order dated 16.12.2016.

2. The RA has been filed for recalling of this Tribunal's Order dated 16.12.2016 passed in OA 1756/2015, mainly on the ground that the relief claimed in the OA was to grant pension to the applicant, which is a continuous cause of action, and hence, dismissing the MA is an error apparent on the face of the record.

3. The basic issue in the OA was the treatment of the leave periods of the applicant, i.e., from 21.06.1973 to 15.08.1973 and again from 21.08.1973 to 13.05.1976. Though the applicant was allowed to retire voluntarily from service on 22.01.1994, the respondents not granted the pension as the applicant has not rendered the required qualifying service for the same. It was the case of the respondents that vide Office Order dated 16.10.1981 itself, the applicant was informed that the aforesaid leave period of the applicant will not count towards the grant of annual increments and other pensionary benefits. While accepting the said contention of the respondents the OA was dismissed and eventually having found that the applicant has not shown any valid reason for condonation of the abnormal delay of more than 20 years in filing the OA, the MA, seeking condonation of delay, was also dismissed.

4. In the circumstances, we do not find any merit in the RA and accordingly, the same is dismissed. No costs.

(V. Ajay Kumar)
Member (J)