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**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Review Application No.180/00025/2019

IN

Original Application No.180/00394/2018

Tuesday, this the 28th day of May, 2019

CORAM:

HON'BLE Mr.E.K.BHARAT BHUSHAN, ...ADMINISTRATIVE MEMBER

Shri Balaraman T.V.,
Aged 80
S/o Velayudhan,
Deputy Conservator of Forests-IFS (Retired),
Residing at IV 5/2,
Thottathil House,
Residency Avenue,
Kanimangalam,
ThrissurApplicant

(By Advocate Mr.P.V.Mohan)

Versus

1. Union of India,
Represented by the Secretary,
Ministry of Environment, Forest and
Climate change,
Indira Paryavaran Bhavan,
6th Floor Prithvi Block,
Jorbag Road Aligng,
New Delhi 110 001.
2. The Accountant General,
Office of the Principal Accountant General (A&E),
Kerala,
Thiruvananthapuram 695 001.

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3. The Manager,
State Bank of India,
Centralized Pension Processing Centre (CPPC),
LMS Compound, Behind Main Block,
Vikas Bhavan,
Thiruvananthapuram-695 533.Respondents
(By Advocate Mr.Thomas Mathew Nellimoottil)

O R D E R
(BY CIRCULATION)

RA No.25/2019 in OA No.394/2018 has been filed by the applicant in OA. The OA was disposed of by this Tribunal on 27.03.2019. The Review Application is filed on 22nd May, 2019. The Review applicant has not filed an MA seeking condonation of delay.

2. The RA is liable to be rejected on the following ground:

- 1) Rule 17(1) of CAT (Procedure) Rules provides for a Review to be filed within 30 days from the date of receipt of copy of the order sought to be reviewed. The Review applicants are seeking review of an order pronounced on 27.03.2019. The RA, thus is time barred.
- 2) No error apparent on the face of the order has been cited in the Review Application meriting a review.

3. We may usefully refer to the judgment of the Hon'ble Supreme Court in the case of ***Chennai Metropolitan Water Supply and Sewage Board Vs. T.T.Murali Babu (2014) 4 SCC 108***, wherein it is held as under :

“the doctrine of delay and laches should not be lightly brushed aside. A writ court is required to weigh the explanation offered and the acceptability of the same. The court should bear in mind that it is exercising an extraordinary and equitable jurisdiction. As a constitutional court it has a duty to protect the rights of the citizens but simultaneously

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it is to keep itself alive to the primary principle that when an aggrieved person, without adequate reason, approaches the court at his own leisure or pleasure, the Court would be under legal obligation to scrutinize whether the lis at a belated stage should be entertained or not. Be it noted, delay comes in the way of equity. In certain circumstances delay and laches may not be fatal but in most circumstances inordinate delay would only invite disaster for the litigant who knocks at the doors of the Court. Delay reflects inactivity and inaction on the part of a litigant, a litigant who has forgotten the basic norms, namely, procrastination is the greatest thief of time and second, law does not permit one to sleep and rise like a phoenix. Delay does bring in hazard and causes injury to the lis.”

It was further held therein:

.....A court is not expected to give indulgence to such indolent persons – who compete with 'Kumbhakarna' or for that matter 'Rip Van Winkle'. In our considered opinion, such delay does not deserve any indulgence and on the said ground alone the writ court should have thrown the petition overboard at the very threshold.”

4 The Review application is time barred and also the review applicant has failed to point out any error much less an error apparent on the face of record justifying the exercise of power under sub-clause (f) of sub-section (3) of Section 22 of the Administrative Tribunals Act, 1985. Therefore, review application deserves to be dismissed and accordingly, the same is dismissed.

No costs.

**(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER**

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List of Annexures in R.A.No.180/00025/2019 in O.A.No.180/00394/2018

1. **Annexure RA1** – True copy of order in OA No.180/00394/2018 dated 27.03.2019.
2. **Annexure RA2** - True copy of the order in OA No.1078/2017 dated 14.11.2018.
3. **Annexure RA3** - True copy of the judgment in W.P.No.5937/2016 dated 06.02.2018 rendered by Jabalpur Bench of Madhya Pradesh High Court.
