

.1.

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Review Application Nos.180/00048/2017
in
Original Application Nos.180/00152/2017

Thursday, this the 13th day of December, 2018

CORAM:

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

1. Baby Girija N.,
D/o Velu Nair N.,
Junior Accounts Officer,
BSNL, Telephone Bhavan,
Kalpetta C.S.C.Wayanad,
Residing at: Sree Vaikuntam,
Vengeri P.O., Kozhikode – 673 010.

2. G.S.Hariharan,
Aged 45 years,
S/o M.Ganapathi Achary,
Junior Accounts Officer (Establishment),
Office of the Principal General Manager,
Telecom BSNL, Uppalam Road,
Trivandrum – 695 001.
Residing at: Sree Lakshmi, TC.40/1162,
Kuttikad Lane Manacaud P.O.,
Trivandrum – 695 009.

3. Sreekala S.,
Aged 43 years,
D/o K.Sreedharan,
Junior Accounts Officer, BSNL,
Office of the General Manager
Telecom District, Alappuzha-688 001.
Residing at: Kala Bhavan, Thriveni Junction,
Avalookunnu P.O.,
Alappuzha-688 006.

...Review Applicants

...Applicants 1, 3 and 4 in OA No.152/2017

(By Advocate Mr.T.C.G.Swamy)

.2.

Vs

1. Bharat Sanchar Nigam Limited,
Represented by the General Manager,
(Recruitment & Training),
BSNL Corporate Office, Recruitment Branch,
Eastern Court, 2nd Floor, Room No.223,
Janpath,
New Delhi – 110 001.
2. The Chief General Manager,
Office of the CGMT, BSNL,
PMG Junction,
Trivandrum – 695 033.
3. The Principal General Manager (Finance),
Office of the CGMT, BSNL,
PMG Junction,
Trivandrum-695 033.
4. The Chief Accounts Officer (B&A),
Office of the CGMT, BSNL,
PMG Junction,
Trivandrum – 695 033.
5. Shri Manoj S.U.,
Aged 35 years,
S/o P.Sasidharan Nair,
Junior Accounts Officer,
Office of DGM (TR) Telecom Revenue Accounts,
BSNL Central Exchange, Statute,
Trivandrum-695 001.
Residing at Panpana,
TC 33/298(1),
Puthoorkonam,
Manikanteswaram P.O.,
Trivandrum – 695 013.

...Review Respondents

... Respondents in OA /2nd Applicant in OA

(By Mr. T.C.Krishna, Sr.PCGC)

.3.

ORDER

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

RA No.48/2017 in OA No.152/2017 has been filed. The OA was dismissed by this Tribunal on 04.04.2017 and the copy of the order supplied on 11.04.2017. The Review Application is filed during July, 2017. The Review applicant has not stated any valid reason for the delay.

2. **Rule 17(1) of CAT (Procedure) Rules** states as follows:

- (1) No application for review shall be entertained unless it is filed within thrity days from the date of receipt of copy of the order sought to be reveiwed.

There is no provision for condoning the delay in filing the RA.

3. Today when the matter came up for hearing, the learned Counsel for respondents Shri T.C.Krishna strongly argued against condoning the delay. He submitted that under **CAT (Procedure) Rules** there is no provision for the purpose. Besides he called to his assistance the judgments in **K.Ajit Babu and Others v. Union of India and Others – 1997 KHC 976**, **G.Narasimha Rao v. Regional Joint Director of School – 2005 (2) ALT 469**, **Rajayya Bosi v. Union of India (UOI) and Ors. - 96 (2003) CLT 230** and **Union of India & Others Vs. R.Aravindaksha Kurup and Others - RA NO.180/11/15 in OA No.201/2013**.

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4. On a consideration of the issue involved, we are of the view that this Tribunal has no jurisdiction to condone the delay in filing the Review Application. Hence, the MA No.681/2017 is dismissed. Consequent to the dismissal of the MA the Review Application is also dismissed. No costs.

(Dated this the 13th day of December 2018)

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

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List of Annexures in R.A.No.180/00048/2017 in O.A.No.180/00152/2017

1. **Annexure RA-1** – True copy of common order dated 04th April, 2017 in OA No.180/00152/2017 and a connected case rendered by this Hon'ble Tribunal.
 2. **Annexure RA-2** – True copy of modified answer key said to have been prepared with respect to the recommendations of the Expert Committee.
 3. **Annexure RA-3** – True copy of answer paper of Shri G.S.Hariharan, the 2nd review applicant.
 4. **Annexure RA-4** – True copy of answer paper of Shri Fasalul Rahman P.K., applicant in OA No.926/2016.
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