

**CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench, New Delhi**

**RA No.43/2018
MA 1134/2018
OA 1657/2014**

New Delhi, this the 7th day of December, 2018

Hon'ble Ms. Praveen Mahajan, Member (A)

Smt. Lokesh Rani
Aged 44 years
W/o Late Shri Virender Narain Saxena
R/o C-2/55, Yamuna Vihar, New Delhi -53. Applicant

(By Advocate: Shri G.D.Chawla)

VERSUS

1. Union of India through
The Secretary
Ministry of Communication and IT
Dak Bhawan, Sansad Marg
New Delhi – 110 001.
2. The Chief Postmaster General, Delhi Circle
Meghdoot Bhawan, Link Road
New Delhi – 110 001.
3. Director (Admn.)
Department of Posts
O/o Director, G.P.O.
New Delhi – 110 001. Respondents

(By Advocate:Shri J.P.Tiwari)

O R D E R (Oral)

Review Application No.43/2018 has been filed by the applicant for recalling and reviewing the judgment dated 22.08.2016 in OA No.1657/2014.

2. As per the rejection order dated 22.08.2016, it was observed that :-

"This is the case of Compassionate Appointment. The Government servant had died on 29.09.2009. After his death, terminal benefits have been paid to the family. The applicant, who is second wife of the deceased government servant, sought compassionate appointment by representation dated 23.02.2010, which was considered and rejected by the department as she obtained 88 points against the last candidate selected, who had secured 100 points.

Learned counsel for the respondents also states that the OA has been filed on 02.05.2014 which is also barred by limitation.

In these circumstances, I do not find any merit in the case and therefore, the OA is dismissed. No costs."

3. The Review applicant states that on 22.08.2016 the applicant was present in the court room and the matter was passed over due to non-availability of counsel for the respondents. Thereafter, the counsel for the applicant got held up in some other court in the Tribunal premises. On second call, the matter was heard without the presence of the counsel for the applicant. Hence the OA was disposed of without hearing the counsel for the applicant and needs to be re-heard.

4. A perusal of the order dated 22.08.2016 shows that the presence of the applicant's counsel, Shri G.D.Chawla is duly recorded. The fact of his absence, as alleged by him, is not available on record. The OA was heard and dismissed on account

of delay and laches. I find absolutely no reason for recalling the said order. The grievance if any against the said order lies by way of assailing the said order before the appropriate forum and not through a review petition. The review application is devoid of merit and is accordingly dismissed.

MA No.1134/2018

5. MA No.1134/2018, filed after a lapse of more than a year i.e. after 485 days after C.A.T. order dated 22.08.2016 passed in OA No.1657/2014 also stands disposed of accordingly. No costs.

**(Praveen Mahajan)
Member (A)**

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