

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

R.A. NO. 367/2003 in
O.A. NO. 459/2003 &
M.A. NO. 2595/2003

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New Delhi this the 30th day of January, 2004.

HON'BLE SHRI JUSTICE V.S. AGGARWAL, CHAIRMAN
HON'BLE SHRI S.K. MALHOTRA, MEMBER (A)

1. Shri K.S. Chauhan
Sub-Area Organiser (SAO)
S.S.B. Headquarters,
R.K. Puram,
New Delhi.
2. Shri S.L. Janartha,
Assistant Director,
S.S.B. Headquarters,
R.K. Puram,
New Delhi.
3. Shri V.K. Sharma,
Sub-Area Organiser (SAO)
S.S.B. Headquarters,
R.K. Puram,
New Delhi.

...Applicants

vs.

1. Union of India Through
The Secretary
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi

....Respondents.

O R D E R (By Circulation)

Justice V.S. Aggarwal:-

Applicants had preferred O.A. 459/2003. It came up for hearing on 9.4.2003. There was no appearance on behalf of the applicants. Under these circumstances, we had heard the respondents' counsel and the application was dismissed by a speaking order on 2.5.2003.

2. Applicant seeks review of the said order.
3. Alongwith the application, a petition has been filed seeking condonation of delay in filing

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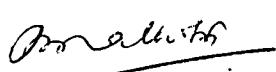
of the review application.

4. It has been pleaded that the order reveals that there was no appearance on the date fixed. In fact, two proxy counsel had appeared to make a request for adjournment. When the order in O.A. was received, the proxy counsel were contacted to find out as to the circumstances in which their names could not be reflected in the impugned order. This led to the delay in preferring the review application.

5. Before delay in any application can be condoned, there should be just and sufficient grounds explaining each day's delay from the time the limitation expired.

6. In the present case, the said delay is not at all explained. It is not known as to when they started enquiring as to who were the proxy counsel. In fact, the order clearly reveals that there was no appearance on behalf of the applicants. The application for review which admittedly is barred by time, necessarily must fail because no just and sufficient reasons are forthcoming to condone the delay.

7. Resultantly, the application seeking condonation of delay and as a consequence thereto, the review application must fail and is dismissed by circulation.


(S.K. Malhotra)

Member (A)


(V.S. Aggarwal)

Chairman

/dkm/