

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 11285 of 2012

Ramesh Chandra Panda

.....

Petitioner
Mr. S.B. Jena, Adv.

Vs.

Union of India and others

.....

Opposite Parties
Mr. D. Tripathy, CGC

CORAM:

DR. JUSTICE B.R. SARANGI
MISS JUSTICE SAVITRI RATHO

ORDER

28.03.2022

Order No.

06.

This matter is taken up through hybrid mode.

2. Heard Mr. S.B. Jena, learned counsel for the petitioner and Mr. D. Tripathy, learned Central Government Counsel.

2. The petitioner has filed this writ petition challenging the order dated 07.03.2012 passed in R.A. No. 19 of 2009 arising out of O.A. No. 84 of 1998 under Annexure-1, by which the Central Administrative Tribunal, Cuttack Bench, Cuttack, by observing that as per the provisions contained under Rule-17 of the Rules no application for review shall be entertained unless it is filed within thirty days from the date of receipt of copy of the order sought to be reviewed and in view of the judgment of this Court in the case of **Rajayya Bosi v. Union of India** (OJC No.4532 of 1998 disposed of on 03.07.2003) wherein it has been held that the tribunal has no power to entertain the review application filed beyond the prescribed period, dismissed the review petition being barred by time.

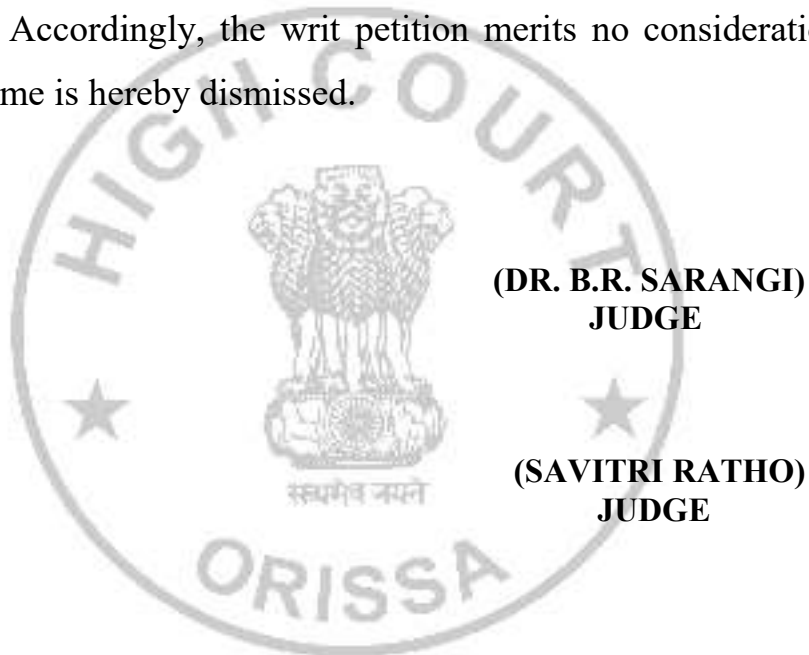
3. Mr. S.B. Jena, learned counsel for the petitioner contended that subsequently in the case **Akhaya Kumar Parida v. Union of India**, 2015 (I) OLR FB 544, this Court already held that review

application is maintainable beyond the limitation period.

4. But fact remains, by the time the tribunal considered the matter on 07.03.2012, the judgment in the case of *Akhaya Kumar Parida* (supra) had not seen the light of the day. Therefore, in the light of the law, which was in force at that particular time, i.e., *Rajayya Bosi* (supra), the tribunal exercised its jurisdiction and held that it has no power to entertain the review application filed beyond the prescribed period. Thus, this Court does not find any error apparent on the face of the order impugned dated 07.03.2012 passed in R.A. No. 19 of 2009 arising out of O.A. No. 84 of 1998 under Annexure-1 so as to cause interference with the same.

5. Accordingly, the writ petition merits no consideration and the same is hereby dismissed.

Ashok/Sukanta



(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE