

CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH

(A)

RA No. 61/99 in OA No. 94/99

New Delhi, this 11th day of May, 1999

Hon'ble Shri T.N. Bhat, Member (J)
Hon'ble Shri R.K. Ahooja, Member (A)

RNS Tyagi AAO posted in DCDA (Zonal Office)
PD Tigris Road Delhi Cantt. Review Applicant
(By Advocate: Shri VPS Tyagi)

versus

Union of India through,

1. Secretary
Ministry of Defence,
New Delhi.
2. Controller General of Defence Accounts,
West Block V, R.K.Puram,
New Delhi.
3. Controller of Defence Accounts (PD),
Meerut Cantt (UP).
4. DCDA (Zonal Office, P.D. Tigris Road,
Delhi Cantt. Respondents

(By Advocate: None)

O R D E R (BY CIRCULATION)

Hon'ble Shri T.N. Bhat, Member (J):

1. This review application is filed on behalf of the applicant seeking review of the judgement and order dated 12.1.99, by which OA No. 94/99 was dismissed at the admission stage in limine as the Bench did not find prima facie case nor any ground even for issuance of notice to the respondents, on the ground that there is an error apparent on the face of the record.

11.5.99.

(5)

2. We have carefully gone through the averments made in the RA but we find that the review applicant is only trying to build up his case on the grounds which have already been considered before giving our decision. It would be pertinent to reiterate here that the scope of review is very limited. The Tribunal is not vested with any inherent power of review. It exercises that power under Order 47, Rule 1 of CPC which permits review if there is (1) discovery of a new and important piece of evidence, which inspite of due diligence was not available with the review applicant at the time of hearing or when the order was made; (2) an error apparent on the face of the record or (3) any other analogous ground.

3. We also find that the applicant has overlooked the detailed discussions made in our judgement under review that lead to the dismissal of the aforesaid OA. We are, therefore, of the considered view that the review applicant has not come with any fresh and valid grounds that would warrant review of our judgement. The R. A., therefore, deserves to be dismissed and we do so accordingly, by circulation.

R.K. Ahuja
(R.K. Ahuja)
Member (A)

naresh

T.N. Bhat
11.5.99
(T.N. Bhat)
Member (J)