

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

R.A. No. 71/98
in
O.A. No. 495/98

New Delhi this the 15th Day of May 1998

Hon'ble Shri Justice K.M. Agarwal, Chairman
Hon'ble Shri R.K. Ahooja, Member (A)

Devinder Mohan,
Son of late Shri Bakshi Ram,
B-164 Sector XV,
NOIDA (UP).

Petitioner

-Versus-

1. Special Secretary and Director General,
National Informatics Centre,
Planning Commission,
A-Block, CGO Complex,
Lodhi Road,
New Delhi.

Respondents

ORDER (By Circulation)

Hon'ble Shri R.K. Ahooja, Member (A)

The OA filed by the petitioner for grant of revised pay scale from 1.1.1986 instead of 1.9.1990 was dismissed on the ground of limitation as the petitioner gave no explanation as to why he was delayed in approaching the Tribunal for the last seven and half years. The petitioner submits that while it is true that he had come to the Court after lapse of seven and half year from the date of the impugned order, yet the delay is explained by the fact that he had no reason to doubt the action of the respondent No. 1 and therefore there was no cause of action. It was only when similar benefits came to be given by the Cabinet Secretariat, Rashtrapati Bhawan, New Delhi on 10.1.1996 with retrospective effect that he realised the error of respondent no. 1. The petitioner further submits that certain judgements submitted by the petitioner were not taken into account while passing the impugned order.

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(a)

2. We have considered the matter. The scope of review jurisdiction is limited and can be exercised only on the discovery of new and important matter or evidence which, after the exercise of due diligence was not within the knowledge of the person seeking the review or when the order contains some mistakes or errors on the face of record. It cannot be exercised on the ground that the decision was erroneous since that would be the province of a court of appeal. A mere repetition of the same arguments cannot also be a ground for review. We are unable to see any error patent on the face of the record in the impugned order. In fact the petitioner himself admits that he had been late in coming to the Tribunal for obtaining a relief. We therefore find no merit in the Review Petition which is hereby summarily dismissed.

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(K.M. Agarwal)
Chairman

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

Mittal