

Central Administrative Tribunal
Principal Bench.

RA No. 144/96
in
CA No. 282/94

New Delhi this the 16th day of August, 1996

Hon'ble Shri S.R. Adige, Member(A).

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

1. Shri Vinod Kumar Mittal,

s/o Shri Banwali Lal,

r/o 1/13, Gali No.5,

Vishwas Nagar,

Delhi-110 032.

2. Shri Jinendra Kumar Jain,

s/o 8/94, Yamuna Vihar,

Delhi-110 053.

3. Shri Rajendra Singh,

s/o Shri R.P. Singh,

r/o Vill. & P.O. Bambawar,

Distt. Ghaziabad (U.P.)

4. Shri Vinod Kumar,

aged 36 years,

s/o Shri Gopi Lal,

r/o C-41, Karkardooma,

Delhi-110 092.

5. Shri R.S. Sharma,

s/o Shri Jagvir Saran Sharma,

r/o C-47, Karkardooma,

Delhi-110 092.

(No)

6. Shri Kirti Kumar,
s/o Shri Baghunath Singh,
r/o C-26A, Second Pocket,
Kesharpuram,
Delhi-110 035.

7. Shri Sat Prakash Bhardwaj,
s/o Shri K.P. Sharma,
r/o B-466, Delhi Admn. Flats,
Timarpur, Delhi-110 054.

8. Shri Mahesh Kumar Misra,
s/o Shri R.P. Misra,
r/o B-535, Delhi Admn. Flats,
Timarpur, Delhi-110 054.

9. Shri K.K. Saini,
s/o Shri Sat Pal Saini,
r/o 73-C, Pocket 'A',
Phase II, Mayur Vihar,
Delhi-110 091.

10. Shri S.M. Tiwari,
s/o Shri C.P. Tiwari,
r/o 142, Kalyanwas,
Delhi-110 091.

11. Shri S.K. Sharma,
s/o Shri B.D. Sharma,
r/o D-30/4, Madhuban,
Mohella North Gonda,
Delhi-110 053.

12. Shri Ghan Syam Das,
s/o Shri Deep Chand,
r/o 983/1D, Gali No.12,
Ashok Nagar,
Delhi-110 093.

AK

13. Shri Suresh Chandra,
s/o Shri Mangat Singh,
r/o D-504/7, Gali No.1,
Ashok Nagar, Shahdara,
Delhi-110 093.

14. Shri Som Dutt Sharma,
s/o Shri Shobha Ram Premi,
r/o 28-E, Pocket III,
Mayur Vihar,
Delhi.

15. Shri Arun Kumar,
s/o Shri R.S. Yadav,
r/o 453, Haidur Kuli,
Chandni Chowk, O
Delhi-110 006.

... Applicants

By Advocate Shri Arun Bhardwaj.
Vs.

1. Union of India,
through its Secretary,
Ministry of Human Resources
and Development,
Shastri Bhawan,
New Delhi.

2. Hon'ble Lt. Governor,
National Capital Territory
of Delhi,
Raj Niwas, Delhi.

3. The Chief Secretary,
Delhi Administration,
National Capital Territory
of Delhi,
5, Sham Nath Marg,
Delhi.

4. Secretary (Education)
Directorate of Education,
Old Secretariat,
Delhi-110 054.

5. Director of Education,
Directorate of Education,
Old Secretariat,
Delhi-110 054.

6. Smt. Kuljit Kaur Sohal,
d/o Shri Mohinder Singh,
r/o 113, Arjun Nagar,
New Delhi-110 029.

7. Smt. Rajni Rawat,
w/o Shri S.K. Rawat,
7, Sant Nagar, (near East
of Kailash),
New Delhi-110 065.

8. Mrs. Baljit Kaur,
w/o Shri Daljit Singh,
r/o 1/4A, Jangpura Extension,
New Delhi-110 014.

9. Smt. Manjinder Kaur,
w/o Shri Gurnam Singh,
r/o D/S, Tagore Garden,
New Delhi.

(X8)

(A9)

10. Smt. Sarojni Sabharwal,
w/o Shri Arun Sabharwal,
14/12, Tilak Nagar,
New Delhi-110 018.

11. Mrs. Naresh,
r/o C/4-C/171, Pocket 14,
Janakpuri,
New Delhi-110 018.

12. Smt. Sarojni,
w/o Shri Harish Kevlani,
r/o C-36, Gurjranwala Apartment,
J Block, Vikaspuri,
New Delhi.

13. Rajni Verma,
d/o Shri R.C. Verma,
r/o A-1/1638, Lawrence Road,
Delhi-110 035.

14. Smt. Nirmal Budhwar,
w/o Shri Om Prakash Budhwar,
r/o 832, Sector III,
R.K. Puram,
New Delhi.

15. Shanta Sharma,
d/o Shri S.D. Sharma,
r/o GG III, House No.28,
Vikaspuri,
New Delhi.

50

16. Deepa Chaudhary,

w/o Shri Dharamvir Singh,
r/o G-39, East of Kailash,
New Delhi-110 065.

17. Vidhu Chaturvedi,

w/o Shri C.K. Chaturvedi,
r/o 23/209, Lodhi Colony,
New Delhi-110 003.

18. Shri Brij Rani/Dr. Jagdish Chandra,

r/o 89-D, Phase II, J.J. Colony,
Nagloi, Delhi.

19. Sonali Roy Chaudhary,

w/o Dr. A.K. Hazara,
r/o D-75, Pandav Nagar,
Delhi-110 092.

20. Uma Chaturvedi,

w/o R.C. Chaturvedi,
r/o 189-D, Pocket 'A',
Mayur Vihar Phase II,
Delhi-110 091.

... Respondents

ORDER (By circulation)

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

This is a Review Application filed against the judgement/order dated the 5th June, 1996 in O.A. No. 282/94. We have carefully considered the Review Application and are satisfied that the same

BY

51

can be disposed of by circulation under Rule 17(iii) of the CAT (Procedure) Rules, 1987.

2. One of the grounds taken in the Review Application is that the applicants have found new and important evidence having material bearing on the case, i.e. the letter No. F.5-44/82-Sch.6 dated 27.3.1982 and No. F.30-3(38)/82-Coord dated 31.8.1982. On the basis of these letters further arguments have been advanced. No reasons have been given why these letters which have now been produced could not have been produced at the time of final hearing or before the impugned order dated 5.6.1996 was passed. Hence, this ground is not tenable and is rejected.

3. Apart from the above, the applicants have submitted that there are errors apparent on the face of the record. On a perusal of the Review Application, it is clear that what the applicants are trying to do is to reargue the case and their allegations that there are errors, are no errors at all but are, in fact, findings and conclusions reached on the basis of the pleadings and other material on record. These cannot be held as errors apparent on the face of the record so as to bring this application within the limited scope and ambit of ^{the} provisions of Order 47 Rule 1, CPC. In the garb of the Review Application, what the applicants are actually trying to do is to seek an appeal against the judgement. If the applicants feel that the judgement is wrong,

18/

then the remedy lies elsewhere in accordance with the law. They cannot use the instrumentality of the Review Application for this purpose, contrary to the settled position (See Thungabhadra Industries Ltd. Vs. Govt. of Andhra Pradesh (AIR 1964 SC 1372) and Chandra Kanta Vs. Sheikh Habib (AIR 1975 SC 1500).

4. In the above circumstances, the Review Application is accordingly dismissed.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

Adige
(S.R. Adige)
Member (A)

'SRD'