

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

✓
(1X)
R.A. No.17/1995 in
O.A. No.1683/1994

Dated :- 19-7-95

Shri M.P.Singhal
Ex-Administrative Officer of the
Indian Institute of Petroleum,
(A Unit of CSIR)
and resident of 63, Solani Puram,
Roorkee(UP)- 247 667

... Applicant

Versus

1. Council of Scientific &
Industrial Research
'ANUSANDHAN BHAVAN'
Rafi Marg, New Delhi-110001
through its Joint Secretary (Admn.)
2. Director
Central Building Research Institute,
Roorkee (UP)-247667
3. Director
Indian Institute of Petroleum
PD IIP, Mohkampur,
Dehradun (UP)

... Respondents

ORDER (BY CIRCULATION)

This is a Review Application No. 17/95
against the judgment in O.A. No. 1683/94 dated
31.5.1995.

2. I have carefully perused the Review Appli-
cation and the grounds taken therein seeking review
of the order. On a plain reading of the Review
Application, it is apparent that what the applicant
is trying to do is to totally re-argue the case
which had already been done before the judgment was
delivered on 31.5.1995. The parties were heard at
a great length and the records had been perused before
the judgment was given. The review applicant has
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again traversed the same grounds and has referred to the same material which was before the Tribunal and submits that the conclusions arrived at by the Tribunal are erroneous. He submits that the Tribunal is also erred in distinguishing the case of Ramesh Chand v. UOI (O.A. No. 2221/89. He also states that the Tribunal has failed to appreciate that the applicant was not promoted automatically to the post of Private Secretary w.e.f. 1.1.1986 and that the Tribunal has also failed to appreciate the fact that the respondents did not abolish the post of Senior Personal Assistant till 5.4.1994. He also refers to the various entries in the service book which was perused by the Tribunal. Therefore, based on the facts and material, which ~~was~~^{has} already before the Tribunal, the applicant has in the guise of the review application, tried to re-argue the case. It is clear from perusal of the Review Application that none of the ingredients given under the provisions of O. 47, Rule 1 CPC have been made out to warrant a review of the judgment dated 31.5.1995.

3. The scope of the Review Application is very limited. The applicant has filed to show any error apparent on the face of the record to justify a review. The Review Application is maintainable only if there is an error on the face of the record or some new evidence has come to notice which ~~are~~^{is} not available even after exercise of due diligence ~~or~~^{for} any other sufficient reasons. It is settled law that

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this cannot be utilised for re-arguing the case traversing the same ground on the plea that there is an error on the face of the record. If the review applicant is aggrieved by the judgment it is open to him to file an appeal, if so advised, as prescribed by law but he cannot use this instrumentality of a review application for this purpose. The judgment has been delivered after hearing both the parties at considerable length and perusing the records. The Review Application cannot be the remedy for seeking relief only because the applicant states that the decision is wrong.

4. In view of the above, the Review Application is dismissed.

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