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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Review Application No. 232 of 1998

in O.A. No. 267/94

New Delhi, this the 8th day of December, 1998

Prabhat Mohan & others

-APPLICANTS

Versus

Union of India & others.

-RESPONDENTS

O R D E R (in circulation)

By Mr. N. Sahu, Member (Admnv)

This Review Application filed on 2.11.1998 impugns the order dated 24.9.1998 disposing of OA No. 267/1994. The prayer is to issue notices for review of the order and pass such orders thereon as would meet the ends of justice.

2. We have carefully considered the submissions made by the ^{respondents who are senior} applicants. We find that there is no mistake apparent on the face of record and the grounds stated are merely arguments on merit which do not entitle the applicant for a review. In the case of K. Ajit Babu and others Vs. Union of India and others, JT 1997 (7) SC 24 their lordships held that "the right of review is not a right of appeal where all questions decided are open to challenge. The right of review is possible only on limited grounds mentioned in Order 47 of the Code of Civil Procedure. Otherwise there being no limitation on the power of review it would be an appeal and there would be no certainty of finality of a decision." As the Hon'ble Supreme Court has held in Aribam Tuleshwar Sharma Vs. Aribam Pishak Sharma and others, AIR 1979 SC 1047 the power of review can be exercised only on the

discovery of new and important matter of evidence which after exercise of due diligence was not within the knowledge of the person seeking the review. The present review application amounts to only rearguing what has been stated in the O.A. In the case of Meera Bhanja (Smt.) Vs. Nirmala Kumar Choudhury (Smt.), (1995) 1 SCC 170 their Lordships have held that the review must be confined to error apparent on the face of record and the error apparent on the face of record must be such an error which must strike one on mere looking at the record and would not require any long-drawn process of reasoning on points where there may conceivably be two opinions.

3. After going through the grounds raised in the review application we consider that we would be violating the norms laid down by the Hon'ble Supreme Court in the decisions cited above if we entertain this Review Application. We accordingly hold at the circulation stage that this review application cannot be entertained and is accordingly rejected.

A. Vedavalli
(Dr. A. Vedavalli)
Member (J)

N. Sahu
(N. Sahu)
Member (Admnv)

rkv.