

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

...

MA.No.772/96, RA.No.70/96 in OA.No.1124/94

Dated New Delhi, this 23rd day of September, 1996.

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER (J)
HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

Jai Dev
R/o 710, Ward No.17
Nai Basti, Gurgaon
HARYANA.

... Applicant

By Advocate: Shri N. Ranganathswamy

versus

1. Union of India, through
Secretary
Ministry of Defence
South Block
NEW DELHI.
2. Director General
Electrical and Mechanical Engineering
Army Headquarters, DHQ P.O.
NEW DELHI.
3. Commandant
Electrical and Mechanical
Engineering School
BARODA.

... Respondents

By Advocate: Shri M. M. Sudan

O R D E R (Order)

Smt. Lakshmi Swaminathan, M(J)

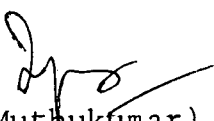
The applicant has filed MA.772/96 in RA.70/96 in OA.1124/94 for condonation of delay in filing the Review Application. The MA is allowed.

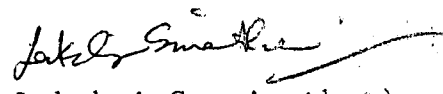
RA.70/96 in OA.1124/94 has been filed by the applicant for review of this Tribunal's order in OA.1124/94 decided on 24.1.1996. We have seen the Review Application and have heard the learned counsel for the applicant again and Shri M. M. Sudan, the learned counsel for respondents. A mere

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22

perusal of the Review Application shows that what the applicant is attempting to do is, to re-argue the case. If the applicant is aggrieved that the judgement in OA.1124/94 is wrong, then the remedy lies elsewhere in the form of appeal; but the instrument of a Review Application cannot be used for this purpose. None of the grounds provided under Order 47 Rule 1 of CPC has been shown in the Review Application which justifies a review of the order dated 24.1.1996. The main grievance of the applicant is that in accordance with the Office Memorandum dated 24.11.1983, the applicant ought to have been given a second opportunity to exercise the option. This ground has already been dealt with in paragraphs 5 to 10 of the judgement. In the circumstances, no ground for review of the impugned order has been made out and accordingly the Review Application is dismissed.


(K. Muthukumar)
Member(A)


(Smt. Lakshmi Swaminathan)
Member(J)

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