

(7)

Central Administrative Tribunal  
Principal Bench, New Delhi.

RA 97/94 in OA 64/1994

New Delhi, This the *th* Day of *April* 1994

Hon'ble Shri P.T. Thiruvengadam, Member (A)

1. Mohinder Paul Prakash Badalya  
S/o Shri Ramesh Chandra Badalya  
819/19, Sector IV  
R K Puram, New Delhi - 110 022.
  2. Ramesh Chandra Badalya  
S/o Late Shri Sisram  
aged 60 years  
R/o 819, Sector IV  
RK Puram, New Delhi.110022
- ....Applicants

Versus

1. Union of India, through  
The Secretary, Ministry of  
Urban Development,  
Nirman Bhawan, New Delhi.
  2. The Director  
Office of the Directorate of Estates,  
Nirman Bhawan, New Delhi.
  3. The Executive Engineer  
Electrical Construction Div-III  
CPWD, Pushpa Bhawan  
New Delhi.
- .....Respondents

By Circulation

O R D E R

1. This Review Petition has been filed with the prayer for reviewing the order dated 2.2.94 in OA No.64/94.
2. The main ground that has been advanced is that the order passed by this Tribunal in another OA 1856/90 on 10.1.92 have not been followed in this OA(64/94). The earlier OA namely 1856/90 has been discussed in detail while disposing of the order in this OA on 2.2.94.
3. The other ground advanced is that the applicant had put in continuous and uninterrupted service from 24.1.85 and cannot be denied the benefit of adhoc allotment of Govt accommodation as provided for in the relevant instructions. This aspect has already been covered at the time of disposing of this OA. In AIR 1979 SC 1047 it has been held as under:-

8

"The power of review may be exercised 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 could not be produced by him at the time when the order was made; it may be exercised where some mistake or error apparent on the face of the record is found; it may also be exercised on any analogous ground. But, it may not be exercised on the ground that the decision was erroneous on merits. A power of review is not to be confused with appellate power which may enable an Appellate Court to correct all manner of errors committed by the Subordinate Court."

4. Since <sup>in</sup> the review petition the grounds advanced do not get covered by the situation under which a review can be entertained, this petition is dismissed as per procedure laid down in rule 17(2) of CAT Procedure Rules 1987. No costs.

P. J. 25  
4/4/95  
(P.T. THIRUVENGADAM)  
Member(A)

LCP