

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Review Application No.213 of 1997
(in O.A. No. 2679 of 1996)

New Delhi, this the 10th day of August, 1998

Shri Pradeep Kumar & another

-- APPLICANTS

Versus

Director of Estates & another

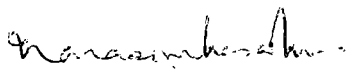
--RESPONDENTS

O R D E R (in circulation)

This review application was filed on 9.9.1997 seeking a review of the order dated 3.7.1997 passed in O.A. 2679 of 1996. An MA has been filed for condonation of delay.

2. I have carefully considered the submissions made in the MA for condonation of delay. As the review application has been filed after the prescribed period, this cannot be admitted for consideration. The Hon'ble Supreme Court in the case of K.Ajit Babu and others Vs. Union of India and others, JT 1997(7) SC 24 has held that the right of review is available if such an application is filed within the period of limitation. Even on merits, I find that there is no mistake apparent on the face of record and the claims made out are merely arguments on merits which do not entitle the applicant for a review. In the case of K.Ajit Babu(supra) their Lordships have also 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". This review application amounts to only rearguing what has been stated in the O.A. Therefore, this review application is not maintainable and is dismissed at the circulation stage itself.


(N. Sahu)
Member (Admin)

rkv.