

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH
RA No. 172/98 in OA No. 2187/1997 and OA No. 2188/97

New Delhi, this 1st September, 1998

Hon'ble Shri T.N. Bhat, Member (J)
Hon'ble Shri S.P. Biswas, Member (A)

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OA No. 2187/1997

1. Mrs. Durgesh Nandini
DD(E), Doordarshan, Mumbai
2. Shri S.N. Singh
DD(E), Doordarshan, Mumbai
3. Md. Khamaruddin
DD(E), Doordarshan, Mumbai
4. Shri Venkat Ramana Rao
SE, Doordarshan, Anantpur
5. Shri J.K. Chandira
SE, Doordarshan, Ahmedabad
6. Mrs. Neha Swami
SE, Doordarshan, Ahmedabad
7. Shri S.K. Sinha
SE, Doordarshan, Baroda
8. Shri J.M. Kharche
SE, Doordarshan, Baroda
9. Shri G.S. Subramanian
SE, Doordarshan, Bangalore
10. Shri Deepak Joshi
SE, AIR, Ahmedabad
11. Shri Jayaprakash Babu
SE, AIR, BHUJ
12. Shri B. Soni
SE, HPT-Doordarshan, Cuttack .. Applicants

OA No. 2188/1997

1. Shri Vipul Kulshrestha
SE, DD Kendra, Aizwal .. Applicant
(By Shri B.S. Jain, Advocate)

versus

Union of India, through

1. Secretary
Ministry of Information & Broadcasting
Shastri Bhavan, New Delhi
2. Director General
All India Radio
New Delhi .. Respondents

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ORDER(in circulation)

Hon'ble Shri S.P. Biswas

This RA has been filed by the applicant against the common order and judgement dated 20.7.98 passed in OAS 2187 and 2188/97, the operative portion of which reads as under:

(i) For reasons in para 5, 13 and 20, Respondents are directed to convene review DPC for considering promotion of the applicants of both the OAs to the post of Senior Time Scale and in case found fit, they shall be entitled to have their seniority refixed from the dates their juniors were promoted;

(ii) For the reasons recorded in paras 15 to 19, applicants will not be entitled to consequential benefits in terms of arrears of pay etc.

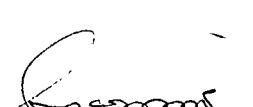
2. At the outset, it is made clear that the scope of review is very limited. The Tribunal is not vested with any inherent power of review. It exercises that power under Order 47, Rule 1 of CPC which permits review if there is (1) discovery of a new and important piece of evidence, which inspite of due diligence was not available with the review applicant at the time of hearing or when the order was made; (2) an error apparent on the face of the record or (3) any other analogous ground. We find none of these ingredients are available in the present review application.

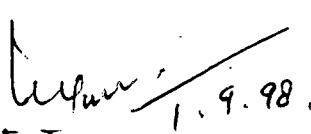
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(23)

3. Again as per law laid down by the apex court in the case of **Chandra Kanta & Anr. vs. Sheik Habib** AIR 1975 SC 1500, review of a judgement is a serious step and reluctant resort to it is proper only where a glaring omission or patent mistake or like grave error has crept in earlier by judicial fallibility. Obviously, we do not find any error apparent on the face of the record/judgement. We would also like to reiterate that a review applicant cannot reargue the case decided on merits. The review petitioner herein seeks to do so and has to be deprecated.

4. For the reasons stated above, the RA is summarily rejected. No costs.


(S.P. Biswas)
Member (A)


(T.N. Bhat)
Member (J)

/gtv/