

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA No. 190/98 in OA No. 1891/97

New Delhi, this 15th day of October, 1999

Hon'ble Shri A.V. Haridasan, VC (J)
Hon'ble Shri S.P. Biswas, Member(A)

Dan Singh
D-256, Kidwai Nagar
New Delhi

Applicant

(By Shri B.B. Raval, Advocate)

versus

1. Chief Commissioner of Income Tax
CR Building, IP Estate
New Delhi

2. Additional Commissioner of Income Tax
(HQRS Personnel) CR Building
IP Estate, New Delhi .. Respondents

ORDER

Hon'ble Shri S.P. Biswas

This review application is filed on behalf of the applicant seeking review of the judgement and order dated 30.7.99 by which OA 1891/97 was dismissed being devoid of merit.

2. We have heard the learned counsel for the review applicant. The review applicant mentions that there is an error apparent on the face of record in terms of details in para 6 of our order dated 30.7.98. It appears that he has failed to note that what we have stated in paras 5 and 6 of the order were the pleas taken by the respondents. We have clearly indicated in para 10 that "applicant having been confirmed only in the year 1994 he could not claim promotion on regular basis prior to completion of 3 years after that and that the respondents have rightly regularised his service in the next higher grade i.e. the post of UDC from 1997." Thus, we do not find any error on the face of record as alleged that would warrant us to review the judgement.

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3. That apart, it would be pertinent to reiterate here 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 applicants 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. Since none of these ingredients is available in the present RA, the same deserves to be dismissed. We do so accordingly.


(S.P. Biswas)
Member(A)


(A.V. Haridasan)
Vice-Chairman(J)

/gtv/