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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA No. 228/99 in OA No. 366/95

New Delhi, this 6th day of January, 2000

Hon'ble Shri Justice V. Rajagopala Reddy, VC(J)
Hon'ble Smt. Shantha Shastry, Member(A)

1. Gurdial Singh
2. Karam Chand
Both working as Sarang under
IOW(C), N/Rly., Delhi Cantt. .. Applicants

(By Shri B.S. Maine, Advocate)

versus

Union of India, through

1. General Manager
Northern Railway
Baroda House, New Delhi
2. Chief Admn. Officer (Constn)
Northern Railway, Kashmeri Gate
Delhi
3. Dy. Chief Engineer (Constn)
Northern Railway, Tilak Bridge
New Delhi .. Respondents

ORDER(in circulation)

By Reddy J -

This review application has been filed on behalf of the applicants seeking review of the judgement and order dated 16.9.99 by which OA 366/95 was dismissed for the reasons mentioned therein.

2. It is the contention of the review applicants that some of the important points raised by the applicants in the OA and also their reliance on the decisions of this Tribunal in some of the OAs produced by them have escaped the notice of the Tribunal. However, we find that the issues raised as also the reliefs prayed for in the OAs relied upon by the review applicants are entirely different and have no application to the present OA. ^{← Further} Also, the OA was decided following the

CAB

(27)

ratio of the judgement held in the case of Mitrangshu Roy Choudhary & Ors. v. UOI & Ors. (Civil Appeal No.3210/96) which is binding on us. Again, the grounds that have been raised in the OA were thoroughly considered by us and after going through the detailed reply filed on behalf of the respondents, the OA was rightly dismissed on merit for the reasons mentioned therein. Therefore, the present RA is not maintainable.

3. That apart, it would be pertinent to reiterate here that the scope of review is very limited. The Tribunal under Section 22(3)(f) of the Administrative Tribunals Act, 1985 read with the provisions of Order 47, Rule 1 of CPC exercises the power of 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. Since none of these ingredients is available in the present RA, the same deserves to be dismissed. We do so accordingly.

Shantha

(Smt. Shantha Shastry)
Member(A)

Rajagopala Reddy

(V. Rajagopala Reddy)
Vice-Chairman(J)

/gtv/