

Central Administrative Tribunal
 Principal Bench

RA 14/98
 in
 OA 1318/93,
 MA 159/98

New Delhi this the 21 th day of January, 1998

Hon'ble Shri S.R. Adige, Vice Chairman(A).
 Hon'ble Smt. Lakshmi Swaminathan, Member(J).

Union of India
 represented through
 Secretary,
 Ministry of Personnel, Public
 Grievances and Pensions,
 Department of Personnel and Training,
 New Delhi. ...Review Applicant.

Versus

Ms. G. Anupama,
 D/o Dr. Ganji Anjaneyulu,
 R/o H.No. 19/3, RT Sanjiva Reddy Nagar,
 Hyderabad.

The Chief Secretary,
 Government of Andhra Pradesh,
 Hyderabad.

The Chief Secretary,
 Government of Tamil Nadu,
 Chennai.

The Chief Secretary,
 Government of Haryana,
 Chandigarh. ... Respondents.

O R D E R (By circualtion)

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

This is a Review Application (RA 14/98) for
 review of the judgement/order dated 6.8.1997 in O.A. 1318/93
 filed along with M.A.159/98 for extension of time by further
 three months for implementation of the judgement.

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2. We have carefully perused the grounds taken in the Review Application. It is evident from the Review Application that what the applicants (Union of India -original respondents in O.A.1318/93) are seeking to do in this application is to seek an appeal against the impugned judgement/order dated 6.8.1997. It is settled law that if the Review-applicant is aggrieved by the judgement, it is open to them to file appeal in accordance with law, but the Review Application cannot be used for this purpose. It is also settled law that the Review Application can lie within the limited scope and ambit of Order 47 Rule 1 CPC. In the Review Application, the applicants have attempted to reargue the case and even no allegations have been made that there are errors apparent on the face of the record which justify review of the impugned order. (See the observations of the Supreme Court in **Thungabhadra Industries Ltd. Vs. Govt. of Andhra Pradesh** (AIR 1964 SC 1372), **Chandra Kanta Vs. Sheikh Habib** (AIR 1975 SC 1500 and **Parsion Devi & Ors. Vs. Sumitri Devi & Ors.** (JT 1997(8) SC 481). In **A.T. Sharma Vs. A.P. Sharma & Ors.** (AIR 1974 SC 1047), the Hon'ble Supreme Court have observed that -

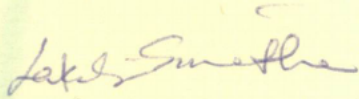
"The power of review may be exercised on the discovery of new and important matter or evidence was not within the knowledge of the person seeking the review or could not be produced by him at the time when the order was made, it may be exercised where some mistake or error apparent on the face of the record is found. But it may not be exercised on the ground that the decision was erroneous on merits. That would be the province of a court of appeal".

3. In the circumstances of the case, therefore, and having regard to the well settled principle under which Review Application would lie, we find no good grounds to allow this application and the RA is accordingly rejected.

4. - It may also be added that the Review Application is also hopelessly time barred and there is not even an M.A. for condonation of delay which has been filed by the applicants. The Review Application is also rejected on this ground.

MA 159/98.

M.A. 159/98 seeking extension of time for implementation of the order dated 6.8.1997 in O.A.1318/93 may be listed on 28.1.1998.



(Smt. Lakshmi Swaminathan)
Member(J)



(S.R. Adige)
Vice Chairman(A)

SRD