

CENTRAL ADMINISTRATIVE TRIBUNAL  
Principal Bench, New Delhi.

R.A. No. 46/94 In OA 1638/93

New Delhi, This the 15<sup>th</sup> Day of February 1994

(1)

Hon'ble Shri P.T. THIRUVENGADAM, Member (A)

Shri T.N. Sinha  
S/o Late Shri Braham Dev Narain  
Retired Asst. Commercial Manager  
Northern Railway R/O  
40, Railway Officers Transit Camp  
State Enquiry Read, New Delhi

Through Shri S.K. Sawhney, Advocate

Petitioner

Versus

1. Union of India  
Through General Manager  
Northern Railway  
Baroda House, New Delhi.
2. Divl. Supdtg. Engineer (Estate)  
Northern Railway  
Chelmsford Read  
New Delhi

Through Shri Romesh Gautam  
Counsel for Respondents

By Circumstances

O R D E R

1. This review petition has been filed seeking review of the orders passed by this Bench in OA 1638/93, decided on 9.11.93.

In AIR 1979 SC 1047 it has been laid down that

"There are definite limits to the exercise of the power of review. The power of review may be exercised on the discovery of new and important matter or evidence which, after the exercise of due diligence 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 same mistake or error apparent on the face of the record is found, it may also be exercised on any analogous ground. But it may not be exercised on the ground that the decision was erroneous on its merits. That would be the province of a court of appeal. A power of review is not to be confused with appellate court to correct all manner of errors committed by the subordinate Court"

....2/-

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In this Review Petition the pleadings already made have been  
reiterated and a number of citations have been given in support  
of the case of the applicant.

2. While dispensing the OA, reliance was placed on the judgement  
of the Supreme Court in the case of Raj Pal Wahi versus Union  
of India and others (SLP No. 7688-91/88) and also the orders passed  
in OA 782/93 of 16-9-93 in a similar case by this Bench following  
the Supreme Court order referred above. Hence it is not necessary  
to go into the citations relating to orders passed at levels  
other than the Supreme Court.
3. Under the circumstances, the Review Petition is dismissed at  
no costs.

P.J.DCL

(P.T. THIRUVENGADAM)  
Member (A)

LCP