

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH NEW DELHI

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RA.No.311 of 1994 in
OA, No.1001 of 1993.

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Dated New Delhi this 26th day of September, 1994

Hon'ble Shri B. K. Singh, Member(A)

Shri C. B. Aggarwal
R/o B-38, Jeevan Niketan
(L.I.C. Colony)
NEW DELHI-110041

... Review Applicant

By Advocate: (Applicant in person)

VERSUS

1. Pay & Accounts Officer
Central Pension Accounting Officer
274, Shaheed Capt Gaur Marg
Srinivas Puri
NEW DELHI-110065

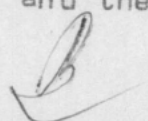
2. The Senior Manager
CANARA BANK
Rajouri Garden
NEW DELHI

... Respondents

JUDGEMENT

Shri B. K. Singh, M(A)

This Review Application is directed against the judgement and order dated 1.8.94 in OA.1001/93 C. B. Aggarwal Vs UOI & Ors. In the same OA a judgement had already been passed by the Principal Bench on 28.5.93. A S.L.P. was filed in the Hon'ble Supreme Court. The case was remanded to the Tribunal since the applicant denied having agreed to the recovery of Rs.875 on account of excess payment made to him. The matter was again heard by a Single Bench comprising myself and the judgement and order was made



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on 1.8.94. Against this judgement, the present RA has been filed.

2. The Tribunal is not vested with any inherent power of review. It exercises the power of review under Order 47 Rule 1 read with Section 114 of CPC, which vests Civil Courts with power to review its decisions on the following grounds:-

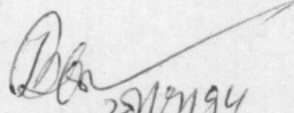
- (i) When a new an important matter or evidence has been discovered and which, after the exercise of due diligence, was not within the knowledge of the Review Applicant and could not be produced when the order was made; or
- (ii) On account of some mistake or error apparent on the face of the record; or
- (iii) On account of any other sufficient or reasonable cause as mentioned under Section 114 or Order 47 Rule 1 of CPC.

3. I have gone through the RA. I find that the review applicant has practically reiterated what was already adjudicated upon in the OA filed by the Review Applicant. In the RA, no new evidence has been produced nor is there any error apparent on the face of the record or any sufficient and reasonable cause of review of this order. A review cannot be permitted for fresh consideration of arguments or for correction of allegedly erroneous view taken but for correction of a patent error of fact or law which stares one in the face and for which no elaborate effort or argument is needed to establish the same.

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plea not taken earlier in the OA cannot be raised in the RA. The words "any other sufficient reason" implies the reason sufficiently analogous to those specified in Rule 1 of Order 47. A Review Application is maintainable only if it falls within the four corners of Order 47 Rule 1 read with Section 114. Order 47 Rule 4 lays down that if there is no sufficient ground for a review, the application shall be rejected.

4. I do not find any ground for review of the judgement and order dated 1.8.94 and accordingly this RA is summarily rejected.


(B. K. Singh)
Member(A)

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