

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

R.A. NO. 112/93 in  
O.A. NO. 249/93

New Delhi this the 7th day of January, 1994.

CORAM :

THE HON'BLE MR. C. J. ROY, MEMBER (J)  
THE HON'BLE MR. S. R. ADIGE, MEMBER (A)

Amba Dutt Bhatt S/O Shri  
Tara Dutt Bhatt,  
MES No. 307707,  
R/O 1/1, MES Probyn Road,  
Delhi - 110054.

... Applicant

By Advocate Shri J. P. Verghese

Versus

1. Union of India through  
The Secretary,  
Ministry of Defence,  
New Delhi.
2. Garison Engineer,  
Red Fort, Lucknow Road,  
Delhi - 110054.
3. Chief Engineer,  
Delhi Zone,  
Delhi Cantt.
4. Chief Works Engineer, Delhi,  
Delhi Cantt,  
Delhi - 10.
5. Chief Engineer,  
Western Command,  
Chadi Mandir.

... Respondents

By Advocate Mrs. Rajkumari Chopra.

O R D E R

Hon'ble Mr. S. R. Adige, Member (A) —

This is an application dated 8.4.1993 filed  
by Shri Amba Dutt Bhatt praying for review of the  
judgment dated 16.3.1993 in O.A. No. 249/93 - Amba  
Dutt Bhatt vs. Union of India & Ors.

2. Under Order XLVII Rule 1, Code of Civil

Procedure, a judgment/decision/order can be reviewed



only if (i) it suffers from an error on the face of record; (ii) on account of discovery of any new material or evidence which was not within the knowledge of the party or could not be produced by it at the time the judgment was made despite due diligence; and (iii) for any sufficient reasons, construed to mean analogous reasons.

3. It is clear from the contents of the review application, which were also emphasised at length by Shri Verghese, learned counsel for the applicant, that none of the grounds taken therein brings it within the ambit of review as defined above.

4. In Aribam Tuleshwar Sharma vs. Aribam Pishak Sharma & Ors. (AIR 1979 SC 1047), the Hon'ble Supreme Court has been pleased to observe as follows :-

"The power of review may be exercised on the discovery of new and important matter of 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 some mistake or error apparent on the face of record is found; it may also be exercised on any analogous ground. But, it may not be exercised on the grounds that the decision was erroneous on merits..."

5. Under these circumstances, this review application fails and it is dismissed.

6. For that reason, M.A. No. 16/94 praying for a direction to produce certain documents does not survive, and the same is also rejected.

*S. R. Adige*  
 ( S. R. Adige )  
 Member (A)

*C. J. Roy* 7/11  
 ( C. J. Roy )  
 Member (J)