

29

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

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Review Application No. 121 of 1999

M.A.No.1127/99

(in O.A. No.191 of 1993)

New Delhi, this the 13th day of July, 1999

Shri Heera Singh Jyotiyana

....Applicant

Versus

Union of India & others

....Respondents

O R D E R (in circulation)

By Hon'ble Shri N.Sahu, Member (Admnv)

This Review Application has been filed by the applicant on 12.5.99 to review the order dated 8.2.99 in O.A.No.191/93. M.A.1127/99 to condone the delay in filing the R.A. has also been filed.

2. We have carefully considered the submissions made in the R.A. As the review application has been filed after the prescribed period this cannot be admitted for consideration. The Hon'ble Supreme Court in the case of K.Ajit Babu and others Vs. Union of India and others, JT 1997 (7) SC 24 has held that the right of review is possible only on limited grounds mentioned in Order 47 of the Code of Civil Procedure. Otherwise there being no limitation on the power of review it would be an appeal and there would be no certainty of finality of a decision. Besides that, the right of review is available if such an application is filed within the period of limitation. This Review application amounts to only rearguing what has been stated in the OA. In the case of Meera Bhanja (Smt) Vs. Nirmala Kumari Choudhury (Smt) (1995) 1 SCC 170 their Lordships have held that the review must be confined to error apparent on the face of record and the error apparent on the face of record

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-2-

must be such an error which must strike one on mere looking at the record and would not require any long-drawn process of reasoning on points where there may conceivably be two opinions. Even on merits, this is not a fit case for review. Therefore, this review application is not maintainable and is dismissed at the circulation stage itself.

A. Vedavalli
(Dr. A. Vedavalli)
Member (J)

Narasimhan
(N. Sahu)
Member (Admnv)

/dkm/