

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

RA 4/86

O.A./T.A. No. 7 1986

B. K. Dhingra


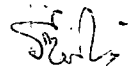
Applicant(s)

Versus

Union of India

Respondent(s)

Sr. No.	Date	Orders
	22.5.86	<p>Present:- Shri G.M.Obtroy, Counsel for the petitioner.</p> <p>Mrs. Raj Kumari Chopra, counsel for the respondents.</p> <p>We have heard the arguments of the learned counsel for both the parties. This is still another review petition filed by Shri D.K.Dhingra, this time against our order dated 18.3.86, on the first review application No.43/86 in which by detailed order we found that our original judgement dated 3.1.86 was quite in order and no error on the face of record or new facts or material which in spite of diligence the petitioner could not have obtained, was in evidence, so as to merit the review of our original judgement in the interest of justice. In the present application for second review, again the applicant has miserably failed to establish that a review is called for in the interest of justice on the basis of the established criteria indicated in the Civil Procedure Code for such review. If the applicant was dissatisfied with the order passed by the Tribunal he should have moved the Hon'ble Supreme Court of India in appeal. This Tribunal cannot be converted into virtually an Appellate Body reviewing its own decisions on the basis of documents and other factors which the applicant may be bringing up in bits and pieces at will. In accordance with clause (f)</p>

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		<p>to Section 22(3) of the Administrative Tribunals Act, this Tribunal has the power to review its own decisions under the Civil Procedure Code. There is nothing in the Civil Procedure Code which admits of second review on the type of grounds adduced by the petitioner in the present application. The Hon'ble High Court of Madras in a case reported as 1979(2) Labour Law Journal on page 68 has reported as under:-</p> <p>" that a review must not be overworked or overindulged in by courts. Thereby it would become a rehearing of all lost cases, which is the proper business only of appellate Courts, if they are invoked. "</p> <p>2. In the circumstances indicated above, we do not find any merit in the review application and reject the same.</p> <div data-bbox="410 1144 743 1416"> (H.P.BAGCHI) JUDICIAL MEMBER</div> <div data-bbox="1063 1210 1477 1363"> (S.P.MUKERJI) ADMINISTRATIVE MEMBER</div>