

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

R.A.No. 73 of 1992 in OA No. 237 of 1985

GENERAL Manager Delhi Telephones Vs. Hari Lal

This review petition has been filed by the petitioner in OA 237 of 1986 whose judgment was pronounced on 13.12.91.

2. The grounds of review are mainly twofold:-

- (i) The matter was listed as item No. 11 on 9.12.91 and the counsel for the petitioner reasonably presumed that it may not come up for hearing on that date. Shri M.L. Verma represented only Respondent No. 1. The petitioner therefore did not get opportunity of making submissions.
- (ii) The relief granted to the applicant in the judgment was not in accordance with the entitlement of the applicant who did not possess the required certificate in Draughtsmanship (Civil) but had only Certificate in Surveying.

3. Regarding ground (i), it may be mentioned that this case related to 1986. When it was listed on 9.12.91, it was only proper for the learned counsel for the petitioner of this R.A. to be present. It was too presumptuous on his part to think that it would not come up as it was item 11. Old cases are given preference in matters of disposal. Shri M.L. Verma argued on behalf of other respondents. The pleadings on record were also taken into consideration. This ground for review, therefore, fails.

4. As regards ground (ii), the judgment itself will indicate that it was given in full cognizance of the fact that the applicant had only Certificate in Surveying but due to various aspects discussed in paras 8(i) to 8(v) of the judgment, the direction in para 9 was given. Therefore, this ground in R.A. also fails.

5. The provisions relating to power of review constitute an exception to the general rule that when once a judgment is signed and pronounced, it cannot afterwards be altered or added to and hence a right of review is exercisable only where the circumstances are distinctly covered by the statutory exceptions. Where a review of a judgment is asked for by a party, greatest care has to be exercised by the Bench in granting the review, specially when the grounds

lie on a thin layer of ice.

6. The R.A. is bereft of any merit and is dismissed.

*I. P. Gupta*  
(I.P. GUPTA)

MEMBR (A)  
12.3.1992

Hon'ble Vice-Chairman (J), Shri Justice Ram Pal Singh

*Ram Pal Singh*