

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
* * *

R.A. NO.9/1992 in O.A. NO.75/1987
DR. N.K. PAL VS. UNION OF INDIA & ORS.

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ORDER

The petitioner preferred Review under Section 22(3)(f) of the Administrative Tribunals Act, 1985 against the judgement dt.24.10.1991 on the grounds mentioned in para-4 of the judgement.

2. The petitioner by way of a number of citations in the petition has taken grounds which do not fall within the scope of the Review as envisaged in Order 47(1) C.P.C.

3. As provided by Section 22(3)(f) of the Act, the Tribunal possesses the same powers of review as are vested in a civil court while trying a civil suit. As per the provisions of Order XLVII, Rule 1 of the Code of Civil Procedure, a decision/judgement/order can be reviewed :

- (i) If it suffers from an error apparent on the face of the record; or
- (ii) is liable to be reviewed 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 him at the time the judgement was made, despite due diligence; or
- (iii) for any other sufficient reason construed to mean "analogous reason".

4. The matter under grievance in the OA was reversion of the petitioner from the post of Specialist to G.D.O.Grade-I of C.H.S. The grounds taken by the applicant in the OA have been fully discussed and the findings have been arrived at after giving adequate reasons.

5. The petitioner in the OA cannot be allowed to reopen the case as to address fresh arguments. There is no error apparent on the face of the judgement.

6. The Review Application is devoid of merit and is dismissed by circulation.

J.P. Sharma
(J.P. SHARMA) 24.3.92
MEMBER (J)

S.P. Mukerji
24.3.92
(S.P. MUKERJI)
VICE CHAIRMAN