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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, DELHI.

Regn. No. R.A. 68/1989 in O.A. 1144/1987.

DATED: 4th July, 1989.

Shri O.P. Khanna Applicant.

V/s.

The Director General, CSIR
& Anr. Respondents.

This is a Review Application against the judgment given by the undersigned in O.A. 1144/1987 on 5.5.1989 rejecting the application. The grounds taken in this application are that there are glaring errors of facts in the judgement delivered on 5.5.89 inasmuch as in para 2 of the judgement it has been stated that the applicant joined as L.D.C. in Ordnance Depot, Lahore on 25.5.1945 after passing Matriculation Examination. According to the applicant, he had only appeared in the Examination and he got the certificate after migration to India. As such there can be no relation of age mentioned in the Matriculation Certificate and that already accepted. That the service record of his service was transferred to C.S.I.R. and no new Service Book was made till 3.10.1968 and actually the Service Book was opened after 15 years and a different date was recorded arbitrarily. That the Tribunal was misled to believe that since the applicant had himself stated his date of birth as 9.3.25 in some subsequent documents, the respondents were correct in changing his date of birth and the Tribunal failed to appreciate G.F.R. No.79, 80 and 81. The Tribunal had ignored the statutory provisions stipulated in Govt. of India's decision in G.F.R. 80. That the Tribunal had not examined the veracity of the Service Book opened by the C.S.I.R. It has, therefore, been prayed that the judgement may be reviewed in the context of the real facts and point of law as explained in this application.

2. It is evident from a perusal of the Review Application that the grounds for review are in the nature of reagitation

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of the entire matter on merits. This is not permissible in a Review Application. A review can only be sought if there is any typographical error or error apparent on the face of records or there is a glaring omission or patent or grave mistake that may have crept in the judgement. By a review, the whole merits of the case cannot be reagitated. The nature of arguments forwarded in this Review Application are more in the nature of an appeal which again does not lie within the four corners of the provision of Order 47 Rule 1 of the Code of Civil Procedure.

In the above view, I find no merit in this application and it is rejected.



(AJAY JOHRI)
MEMBER (A)
4.7.1989.