

14

In the Central Administrative Tribunal
Principal Bench: New Delhi

RA No.93/93
OA No.1108/87

Date of Order: 15.04.1993.

Shri Parmanand

...Petitioner

Versus

Delhi Administration & Ors.

...Respondents

Coram:-

The Hon'ble Mr. Justice V.S. Malimath, Chairman
The Hon'ble Mr. I.K. Rasgotra, Member (A)

O R D E R

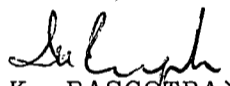
R.A. 93/93 has been filed on 15.3.1993 seeking review of our judgement in OA-1108/87 dated 10.12.1992 on the ground that there are errors apparent on the face of record which have resulted in the dismissal of the O.A. The R.A., however, does not bring out any error apparent on the face of record. In fact the petitioner is trying to reargue the matter, reiterating the grounds earlier taken in the O.A. that the petitioner is similarly situate as were those who had received benefits in terms of the earlier decisions of the High Court of Delhi. In our judgement we had noted that the petitioner is not similarly situate as those who were covered by the judgements of High Court of Delhi. First because the petitioner had accepted fresh appointment as Police Constable on 4.1.1971 and secondly because he had not agitated the matter at the proper time in the appropriate forum to secure the annulment of the order of his termination. Since the principal grounds on which the Review Application has been founded have already been dealt with in our judgement, it is not open to the petitioner to re-argue the matter on the same set of grounds.

al

The Hon'ble Supreme Court in **Chandra Kanta and another v. Sheik Habib AIR 1975 SC 1500** has held:-

"Once an order has been passed by the Court, a review thereof must be subject to the rules of the game and cannot be lightly entertained. A review of a judgement is a serious step and a resort to it is proper only where a glaring omission or patent mistake or grave error has crept in earlier by judicial fallibility. A mere repetition through a different counsel, of the old and overruled arguments, a second trip over ineffectually covered ground or minor mistakes of inconsequential import, are obviously insufficient."

The R.A. is accordingly rejected in circulation.


(I.K. RASGOTRA)
MEMBER(A)


(V.S. MALIMATH)
CHAIRMAN

San.