

10

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

R.A. 98/92 in O.A.764/1987

Date of decision: 6.4.92
Sohan Lal Versus Union of India & ors.

This Review Application has been filed by the applicant on the ground that:

- 1) His counsel was not present when the arguments were heard.
- 2) The O.A. has been dismissed wrongly as barred by limitation because the cause of action continued till the date of filing of the O.A.

In para 3 of the judgement of the O.A. it was mentioned that when the case was called, none for the applicant was present to argue the case but as the matter stood expedited, it was finally heard on 13.11.91 after adjourning the case from 6.11.91 till that date. The absence of a counsel is no ground for reviewing a judgement. Para 4 of the judgement deals with the point of limitation in which it has been held that the O.A. is barred by law of limitation.

2. Though this Review Application is barred by limitation yet we have applied our mind to the facts and circumstances of the case and we are of the opinion that this Review Application deserves to be dismissed because the provision relating to power of review constitutes an exception to the general rule that when once a judgement is signed and pronounced, it cannot afterwards be altered or added to and hence, right of review is exercisable

Lal
contd..2p...

only where the circumstances are distinctly covered by statutory exceptions. There are no errors apparent on the face of the record. The judgement was pronounced, acquired finality and cannot be substituted by a fresh or second judgement.

3. We are, therefore, of the view that this Review Application is bereft of any merit. Consequentially, this Review Application is dismissed without notice.

Ram Pal Singh
(RAM PAL SINGH)
VICE CHAIRMAN(J)

HON'BLE SH.I.P.GUPTA
MEMBER(A)

G. L. Gupta