

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

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.

20.11.64
(RAM PAL SINGH)
VICE CHAIRMAN(J)

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

Sh. I. P. Gupta