

22

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, DELHI.

R.A. No. 250/1992
in O.A. No. 1680/87.

DATE OF DECISION: 14-7-1992.

Ved Parkash Sharma Applicant.

v/s.

Union of India Respondent.

CORAM: Hon'ble Shri T.S. Oberoi, Member (J).
Hon'ble Shri P.C. Jain, Member (A).

(BY CIRCULATION)

The applicant has preferred this R.A. under Section 22(3)(f) of the Administrative Tribunals Act, 1985, for review of the judgment dated 3-4-1992 by which O.A. No. 1680/87 (filed by the applicant herein) and O.A. 1681/87 (filed by Shri S.D. Khanna) were dismissed by a common judgment. In the R.A., the applicant has tried to construct the case by offering counter arguments on the points which have been examined in the judgment and decision arrived at, so that it is reopened for fresh hearing of the arguments and reappraisal thereof. Such a course of action is not permissible at the stage of Review of the judgment. As per the provisions of Order XLVII, Rule 1 of the Code of Civil Procedure, which are applicable to the Review Applications before the Tribunal as well, a decision/judgment/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 judgment was made, despite due diligence; or
- (iii) for any other sufficient reason construed to mean 'analogous reason'.

The powers of the Tribunal in the matter of review of its own judgment/order being limited as aforesaid and the points raised by the applicant being outside the scope of a/ R.A.,

the instant Review Application has to be rejected. It may be stated that the O.A. in question was not dismissed on the point of limitation alone but on the basis of overall assessment and analysis as also the conspectus of the facts and circumstances of the case.

2. In view of above, the Review Application No.250/1992 in O.A. No.1680/87 is hereby rejected.

(C. C.)
(P.C. JAIN)
MEMBER(A)

(S. S.)
(T.S. OBEROI)
MEMBER (J)

14-7-1992.