

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

UP

PRINCIPAL BENCH, NEW DELHI.

Review Petition No.182/94
in
Original Application No.1979/88.

Shri Laxmi Narayan Singh. Applicant.

V/s.

Union of India & Another. Respondents.

Coram: Hon'ble Shri N.V.Krishnan, Vice-Chairman(A),
Hon'ble Shri B.S.Hegde, Member(J).

ORDER ON REVIEW PETITION BY CIRCULATION

This Review Application is filed by the applicant seeking review of the Judgment dated 25.1.1994 in O.A. No.1979/88. We have seen the Review Application and we are satisfied that the Review Application can be disposed of by circulation under Rule 17(3) of the CAT (Procedure) Rules, 1987 and we propose to do so.

2. The applicant has sought the review of the Judgment on the following grounds. The applicants in the OA before the Ernakulam Bench of the Tribunal are technicians, the nature of the grievances in both the cases is not the same and the directions contained in the Judgment of the Ernakulam Bench are wholly inapplicable to the case of the applicants. Secondly, the applicants have already been given the post of Telecom Technical Assistant in the year 1992 subsequent to the issuance of the order dt. 16.10.1990. Therefore, the only question that survives for consideration would be that in view of the re-structuring of the existing grade whether the applicants are entitled to the grant of scale of Rs.1400-2300 being the scale now given to categories of posts which carry in comparable functions, duties and qualifications w.e.f. 1.1.1986 etc. Thirdly,

it is stated that the para 16 of the Judgment are based on error apparent on the face of the record.

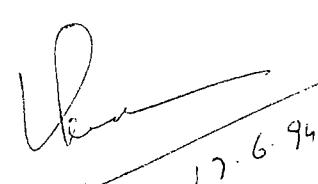
3. It is well settled that the scope of the Review Application is very limited and the Review Application is maintainable only if there is an error apparent on the face of the record or some new evidence has come to notice. The Review Application cannot be utilised for re-arguing the case traversing the same ground. In the instant case, we do not find any new facts brought to our notice.

4. Under Order:47 Rule 1 C.P.C., a decision/Judgment/Order can be reviewed only if (i) suffers from an error apparent on the face of the record; ii) new material or evidence is discovered which is not within the knowledge of the parties or could not be produced by that party at that time the Judgment was made despite due diligence; or iii) for any sufficient reason construed to mean analogous reason.

5. A perusal of the Review Petition makes it clear that none of the ingredients referred to above have been made out to warrant a review of the Judgment.

5. The grounds raised in the Review Application are more germane ^{for an} and the appeal against our judgment and not for reviewing. In the circumstances, we do not find any merit in the Review application, the same is rejected in circulation.


(B.S. HEGDE)
MEMBER (J)


(N.V. KRISHNAN)
VICE-CHAIRMAN (A).

17.6.94