

21

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

RA.74/92  
OA.2392/89

Date of Decision:

25.3.92

Shri Madan Mohan Arora

...

Applicant

Vs.

Chief Post Master General & Ors.

Respondents

CORAM:

The Hon'ble Shri. I.K. Rasgotra, Member(A)

The Hon'ble Shri. J.P. Sharma, Member(J)

1. Whether Reporters of local papers may be allowed to see the judgement? X
2. To be referred to the Reporter or not? X

JUDGEMENT

(delivered by Hon'ble Member Shri J.P. Sharma )

The present review petition is preferred against the judgement dated 20.1.92.

2. As provided by Section 22(3)(f) of the Act, the Tribunal possesses the same powers of review as are vested in a civil court while trying a civil suit. As per the provisions of order XLVII, Rule 1 of the Code of Civil Procedure, a decision/judgement /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 judgement was made, despite due diligence; or

(iii) for any other sufficient reason construed to mean "analogous reason".

22

3. We have gone through the records of the case and have noted the grounds referred to in the review petition. The applicant in fact wants to reopen the whole matter for fresh hearing which is not permissible in the review. There is no prima facie error on the face of the judgement nor any material fact has been omitted for consideration, which was placed at the time of hearing either by way of arguments or pleading.

4. The review petition, therefore, is not covered under the provisions of order 47 Rule 1 CPC and is therefore dismissed as devoid on merits.

*J. P. Sharma*

(J.P. SHARMA)

MEMBER(J)

25.3.92

*I. K. Rasgotra*

(I. K. RASGOTRA)

MEMBER(A)