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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

Review Application No. 158 of 1994

IN

O.A.No714/89
New Delhi this 24 May, 1994.

CORAM:

Hon'ble Mr. Justice V.S. Malimath, Chairman.
Hon'ble Mr. S.R. Adige, Member(A)

H.S. Panwar,
s/o Late Shri Kishan Singh Panwar,
aged about 43 years,
r/o C-58, Krishi Vihar,
New Delhi-110048.

Employed as
Hindi Asstt. in the
Indian Council of Agricultural Research(ICAR)
Krishi Bhawan,
New Delhi -110001.Applicant.

Versus

Union of India through

1. The Secretary,
Ministry of Information and
Broadcasting,
Government of India,
Shastri Bhavan,
New Delhi-110001.

2. The Indian Council of Agricultural
Research through
the Secretary,
Krishi Bhavan,
New Delhi-110001Respondents.

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ORDER

By Hon'ble Mr. S.R. Adige, Member(A)

This is an application dated 18.4.94, filed
by Shri H.S. Panwar praying for review of the
Tribunal's judgment dated 7.3.94 in O.A.No.714/89
'H.S. Panwar Vs. Union of India & others'.

2. Under Order 47 Rule 1CPC, a decision/
judgment/order can be reviewed only if;

i) it suffers from an error apparent
on the face of the record;

✓ ii) new material or evidence is discovered
which was not within the knowledge
of the parties or could not be produced

by that party at the time the judgment was made, despite due diligence; or

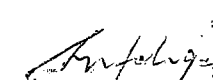
iii) for any sufficient reason construed to mean analogous reasons.

3. It has been urged in this application that interim relief No.(iii) escaped the Tribunal's attention, which constitutes an error apparent on the face of record. Interim relief No.(iii) reads as under:-

" Order the respondent no.1 to pay the salary of the applicant until he is formally relieved by the Ministry of Defence."

4. It requires no reiteration that the interim relief prayed for has to be in aid of the main relief. In the present case, the main relief was given full consideration on merit. None appeared for the petitioner when the case was called out, and hence after hearing the learned counsel for the respondents and looking into the materials on record, the impugned order dated 7.3.94 was passed. Under the circumstances, once final order was passed, any interim relief prayed for ceased to have relevance.

5. Under the circumstances, this review application does not fall within the ambit of Order 47 Rule 1CPC and hence the same is rejected.


(S.R. ADIGE)
MEMBER (A)


(V.S. MALIMATH)
CHAIRMAN.

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