

(11)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

•••

RA. No. 217 of 1994

in

OA. No. 323 of 1989

Dated New Delhi, this 6th day of October, 1994

Hon'ble Mr Justice S. K. Dhaon, Vice Chairman (J)

Hon'ble Mr B. K. Singh, Member (A)

Shri Bodh Raj Sabharwal  
S/o Late Shri Jangi Ram  
100 Central Market  
Lajpat Nagar  
NEW DELHI-110 024

... Review Applicant

Versus

Union of India through

1. The Secretary

Ministry of Water Resources

Shram Shakti Bhawan

Rafi Marg

NEW DELHI

2. The Secretary

Ministry of Energy

(Department of Power)

Shram Shakti Bhawan

Rafi Marg

NEW DELHI

3. The Chairman

Central Water Commission

Sewa Bhawan, R. K. Bhawan

NEW DELHI

... Respondents

JUDGEMENT

(By circulation)

Mr B. K. Singh, M(A)

This Review Application No. 217/94 in OA. No. 323/89

has been filed by Shri Bodh Raj Sabharwal (Review

Applicant) against the order and judgement in

OA. No. 323/89 decided on 15.4.94.

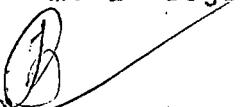
2. We have carefully gone through the Review Application and we do not find any scope for modifying

Contd...2

the order and judgement given in the aforesaid OA. This Review Application does not fall within the provisions of Section 114 read with Order 47 Rule 1 of CPC. The Review Applicant has not shown the discovery of any new and important matter or evidence which after the exercise of due diligence was not within his knowledge and could not be produced when the order and judgement dated 15.4.94 was made. He has also not been able to produce factual or legal error apparent on the face of the record and we also do not find any other sufficient or substantial cause to modify the order and judgement contained in the aforesaid OA.

3. A review does not lie for hearing of fresh arguments or for correction of allegedly erroneous view taken but for correction of a patent error of fact or law which stares one in the face without any elaborate effort being needed to establish the same. A plea not taken in the OA cannot be raised in the RA.

4. This Review Application does not fall within the four corners of Order 47 Rule 1 read with Section 114 of CPC. Order 47 Rule 4 (1) lays down that if there is no sufficient ground for a review, the same shall be rejected. We find no merit in this RA and accordingly the same is rejected in circulation.

  
(B. K. Singh)  
Member (A)

  
(S. K. Dhaon)  
Vice Chairman (J)