

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

* * *

26.11.91

(21)

RA 17/91 in OA 638/90.

SMT. RAJ KUMARI vs. UNION OF INDIA

The applicant has sought Review of the Judgement dated 12.12.1990. 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".

2. In this Review Application, two grounds are taken. Firstly, the applicant could not file the documents regarding the representations made by her earlier with the OA and secondly, that there is a factual error in the judgement regarding the observation made on the concealment of material fact by the applicant in the Original Application No.638/1990, which had a bearing according to the applicant on the dismissal of the said application.

3. We have gone through the judgement and considered both the grounds taken by the applicant. The fact of the

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submission of representations, if any, made by the applicant should have been stated in the application itself as otherwise the application itself was incomplete. The respondents have denied having received any representation from the applicant. In view of this, the filing of any such document at this ^{stage} will not add any weight to the merit of the case from the side of the applicant.

4. Regarding the second ground on concealment of facts taken by the applicant, the applicant has herself admitted even in the Review Application that the fact was not mentioned in the Original Application No.638/1990.

5. We find that both the grounds taken by the applicant in the Review Application are not covered by any of the three conditions mentioned in para-1 above. This Review Application is devoid of any merit and is, therefore, dismissed. (By Circulation).

J. P. Sharma
(J.P. SHARMA) 26.11.91
MEMBER (J)

C. G. Jain
(C.G. JAIN) 26.11.91
MEMBER (A)