

(23)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

RA NO.50/96 in
OA NO.1844/90

Date of Decision 8-5-96

Hon'ble Smt. Lakshmi Swaminathan, Member(J)
Hon'ble Shri R.K. Ahooja, Member(A)

Chandan Singh
s/o Shri Sube Singh
r/o V & P.O. Sahibabad,
Daulatpur,
Delhi.

... Applicant

By Advocate: Shri A.K. Bhardwaj

Vs.

1. Union of India through
the Secretary,
Ministry of Home Affairs,
Govt. of India,
New Delhi.

2. Deputy Commissioner of Police
4th Bn.DAP New Police Lines,
Kingsway Camp, Delhi.

3. Additional Commissioner of Police,
Delhi Area Police
Police Headquarters,
ITO, New Delhi.

... Respondents

O R D E R (BY CIRCULATION)

Hon'ble Smt. Lakshmi Swaminathan, Member(J)

This is a Review application filed by the
applicant in O.A. 1844/90 praying for review of the
order dated 20.12.1995.

2. We have perused the contents of the Review
application carefully. The applicant has stated that
the contents of the original application No.1844/90 may
be treated as part and parcel of the present Review

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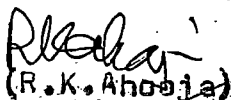
application also. Para 2 of the Review application refers to the facts, pleadings and arguments. In para 2(i) the learned counsel for the applicant, in fact, submits that the applicant could not highlight certain points when the O.A. was being argued which he states has resultedⁱⁿ an error apparent on the face of the record. In the Review application the applicant has attempted to re-argue the matter on the evidence adduced before the disciplinary authority as well as the punishment imposed upon him. It is also stated that certain judgements have been omitted in the impugned order, which requires that the judgment dated 20-12-1995 in OA 1844/90 ^{40 P2} may be reviewed.

3. We have carefully considered the grounds taken by the applicant in the review application. The applicant has alleged that there are errors apparent on the face of the record in order to bring the application within the scope and ambit of order 47 Rule 1 CPC under which alone a review of a decision/order/judgment of the Tribunal is permissible. The applicant has himself stated that he could not highlight certain points when the case was argued, which he ought to have done then, which he states has resulted in an error, but this cannot be accepted. He has also tried to re-argue the case on the facts in this petition. It is/ that the Review application


cannot be utilised for re-arguing the case traversing the same grounds. 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 which was not available even after exercise of due diligence or any other sufficient reason. It is well settled principle that review of a judgment is a serious step and reluctant resort to it is proper only where a glaring omission or patent mistake or grave error has crept in earlier by judicial fallibility.

4. A perusal of the Review application makes it clear that none of the ingredients referred to above, have been made out to warrant a review of the aforesaid judgment.

5. In view of the above facts and circumstances, we do not see any merit in the Review application and the same is, therefore, dismissed.


(R.K. Ahuja)

Member (A)


(Smt. Lakshmi Swaminathan)

Member (J) 8/5

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