

33

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI  
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R.A.No. 75/95.  
in  
D.A.No. 329/90.

Date of decision: 3-4-1995

1. Shri Gulshanbir Singh,  
R/o 8H-348, Shalimar Bagh,  
(Poorvi) Delhi-110052.
2. Shri Rajeshwar Prasad Sharma,  
R/o C-4/2, Arjun Mohalla,  
Maujpur, Delhi-110053.
3. Shri B.B. Mathur,  
Pocket A.MIG, 21C Vikaspuri Extensional  
Outer Ring Road,  
New Delhi-110018.
4. Shri G.S. Malhotra,  
IIF-101, Nehru Nagar,  
Ghaziabad-201001.

versus:

1. Delhi Administration,  
5-Alipur Road, Delhi  
through its Chief Secretary.
2. The Secretary (Services),  
Delhi Administration,  
5, Alipur Road, Delhi
3. The Development Commissioner,  
Delhi Administration,  
5/9, Under Hill Road,  
Delhi-110007.

O R D E R ( By Circulation )

This R.A. No. 75/95 has been filed seeking review of the judgment dated 27.1.1995 in D.A. No. 329/90. We have seen the Review Application and we are satisfied that the same can be disposed of by circulation under Rule 17(iii) of the CAT (Procedure) Rules, 1987 and we proceed to do so.

2. M.A.No. 642/95 filed along with the Review Application is for condonation of delay of two days for filing the Review Application. This is allowed.

3. The applicant has sought to review the

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judgment on the following grounds :-

- (i) That the Tribunal had failed to appreciate that the post on which the applicants are posted have been ripe for encadrement since the date of notification dated 1.6.1972 read with the various letters mentioned therein.
- (ii) That the Tribunal has been misled into construing certain facts regarding the post of Supervisor/ Anti Rat Supervisor.
- (iii) That the delay of over 25 years has been due to the delaying tactics of the respondents in encadrement of their posts, while encadring other identical posts.
- (iv) Finally, that the Tribunal has erred in not considering the plethora of Supreme Court judgment where seniority had been given retrospectively and the facts relating to one Shri M.S.Tyagi.

4. On a perusal of the Review Application, it is apparent that what the applicants are trying to do is to re-argue the case on merits, traversing the same grounds already taken in the O.A. The claim of the applicant for encadrement with retrospective effect from the date of notification i.e. 1.6.1972 has been dealt with in para 7 of the judgment. The Supreme Court in Chandra Kanta and Anr. v. Sheik Habib case ( 1975 SC 1500 ) held that once an order has been passed by the Court, a review thereof must be subject to the rules of the game and cannot be lightly entertained. A review of a judgment is a serious step and reluctant resort to it is proper only where a glaring

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35

omission or patent mistake or like grave error has crept in earlier by judicial fallibility.

5. A perusal of the review application makes it clear that none of the ingredients referred to in D. 47, Rule 1 of the CPC has been made out by the applicants to warrant a review. What the applicants are trying to make out is that the judgment is wrong for which Review Application has been filed but that apprehension cannot be a ground for review.

6. The Application for Review is, therefore, dismissed.

*Lakshmi Swaminathan*

(Smt. Lakshmi Swaminathan)  
Member (J)

*S.R. Adige*

(S.R. Adige)  
Member (A)