

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

16

Regn.No.RA-106/90
in OA-545/90

Date of Decision:12.9.90.

Shri N.C.Jain

... Applicant.

Vs.

Union of India & Ors.

... Respondents.

This Review Application seeks review of the order/judgement dated 8.6.90 rendered in OA-545/90 titled 'N.C.Jain Vs. Union of India & Ors.'. It has been preferred by the applicant on 17.8.1990.

2. A decision/judgement/order can be reviewed:

- (a) if it suffers from an error apparent on the face of the record; or
- (b) 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
- (c) for any other sufficient reason.

The instant Review Application is not covered by any of the three conditions cited above. The grounds taken by the applicant in the Review petition are fully covered in the judgement. The applicant has desired the summoning of further evidence but that is beyond the scope of the review application unless and until there is an averment that a particular evidence was not within the knowledge of the applicant and was relevant for the decision of the case. The main point in controversy has been whether the experience gained as a teacher by the applicant can be added for qualifying the experience for the appointment to the post of Additional Legal Adviser. Under Rule 7(1)(b) of the Recruitment Rules, no such experience can be tagged particularly for the recruitment to the post of Additional Legal Adviser.

Regarding the validity of the Rules, the matter has already been discussed in the judgement itself. No ground is made out for reviewing the judgement and the Review application merits rejection and the same is hereby rejected in circulation.

J.P. Sharma
(J.P. Sharma)
Member (J)

I.K. Rasgotra
(I.K. Rasgotra)
Member (A)