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THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH
NEW DELHI

R.A.134/91 in
OA-2424/1990

Decided: 30.9.91 By
Circulation

Sh. Inder Bir

.. Applicant

V e r s u s

Union of India & Ors

.. Respondents.

Coram : Hon'ble Mr. Ram Pal Singh, Vice Chairman
Hon'ble Miss Usha Savara, Administrative Member

ORDER

USHA SAVARA, AM

This Review Petition has been filed against the order dated 25.4.1991 in OA.2424/1990, in which it was held that Sh. Inder Bir continued to be the allottee of quarter No.214-F till 8.10.1988, and therefore, he was legally responsible for the house rent/electrical charges upto this period inspite of the fact that Sh. Raj Pal Singh was in physical possession of the quarter.

2. The Review Petition has been filed seeking production of a Circular of the Railway Board which provides that pend⁹⁰l rent can be recovered from un-authorised occupant. The scope of ~~the~~⁹⁰ review has been confined to the provision of order 47 Rules I of CPC. The review is sought in this case on the ground of discovery of new and important matter or evidence, which could not be within the knowledge of the petitioner or could not be produced by him earlier despite exercise of due diligence. It has been held in the case of Sh. A.S. Chochary & Others Vs Union of India & Others decided on 13.7.1990, A.T.R. 1990(2) CAT 321 that if review is sought on this ground it is also to be established that new evidence is not only relevant, but is also of such a

contd..2.

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character that if it had been in the original proceedings, it might possibly have altered the view.

3. After going through the facts of the case, we are of the view that the production of the Circular, in no way, alters the view taken by us in the original O.A. In view of this, the order does not call for review and the Review Petition is dismissed.

U. Savara
(Usha Savara) 27.9.91
Administrative Member

Ram Pal Singh
(Ram Pal Singh) 27.9.91
Vice Chairman

'Jnb'