

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH,
NEW DELHI.
* * *

Date of Order: 20.7.92

RA 213/92 in
DA 2537/90
(also M.P.)

PARMESHWAR DAYAL Vs. UNION OF INDIA & ORS.

O R D E R

This petition is for review of the order dated 24.4.1992 by which the application was dismissed. In the application the allotment of the quarter No. Type I/58, Press Colony, Mayapuri, New Delhi was cancelled by the order dated 23.2.1990 on the ground of subletting.

The ground taken in this application is that there is an error apparent on the face of the record of the judgement. This is one of the grounds of which a judgement can be reviewed but looking to the grounds taken by the applicant there is no error apparent on the face of the judgement. In grounds (b) to (g) the further arguments have been reduced in the forum of grounds which are not available for reviewing a judgement. Thus, the arguments have already been covered in the judgement while giving a finding that the applicant has sublet the premises. In para 4, 5 & 6 of the judgement all these points are fully covered. The applicant cannot re-open the case by giving out arguments in the forum of grounds.

Under Order 47, Rule 1 of the CPC, a judgement
can be reviewed on any of the following three grounds:-

- (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".

The case of the applicant/petitioner does not ~~fail~~
follow on any of the above grounds.

The applicant has also moved MP during the pendency
of this Review Petition. Since the Review Petition is
disposed of, this MP has become infructuous. The Review
Petition is devoid of merit and is dismissed, so also the
MP.

J. P. SHARMA
(J. P. SHARMA)
MEMBER (J)