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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

R.A. No. 279/93
in
O.A No. 968/90

Date of Decision: 9.9.93

Shri Naurat Mal Kumawat ...

Petitioner

vs.

Union of India through
the Secretary Ministry of
Railways, Rail Bhawan,
New Delhi.

Respondents

Coram:

The Hon'ble Mr. I.K. Rasgotra, Member (A)

The Hon'ble Mr. B.S. Hegde, Member (J)

For the petitioner

SHRI S.K. Bisaria, Counsel

For the respondents

Shri P.S. Mahendru, Counsel

ORDER (BY CIRCULATION)

This Review Application has been filed seeking review of our Order in O.A. No. 968/90 rendered on 3.8.1993 between Shri Naurat Mal Kumawat and Union of India. The following principal grounds have been adduced for seeking the review:

1. The case was being defended initially by another counsel and he had not attached Annexure RI said to have been mentioned in the body of the counter affidavit;
2. Since no actual date for final hearing was given, the relevant records could not be produced;
3. That the respondents bona fide feel that there is sufficient cause for reviewing the Judgement as the original record could not be produced in spite of the best efforts. The scope of the review application is very limited and 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 for any other sufficient reason. The review Application cannot be utilised for re-arguing the case traversing the same ground in

(Chandra Kanta and another Vs. Sheikh Habib -
AIR 1975-SC 1500.)

"Held by the Supreme Court : 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 judgement is a serious step and a resort to it is proper only where a glaring omission or patent mistake or grave error has crept in earlier by judicial fallibility. A mere repetition through a different counsel, of the old and overruled arguments, a second trip over ineffectually covered ground on minor mistakes of inconsequential import, are obviously insufficient"

In view of the facts and circumstances, we do not see any merit in the Review Application and the same is rejected in circulation.

B.S. Hegde
(B.S. Hegde)
Member (J)

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