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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

R.A. No. 65 of 1992 in OA 2788 of 1991

Patwar Singh Bedi Vs. Union of India

12.03.92

This review application has been filed by the applicant containing the prayer for reviewing the judgment passed in O.A. No. 2788/91 dated 6.2.92. The applicant has pointed out in the review application that there are mistakes of fact and law in the judgment. The law settled with regard to the power of review is that the judgment can be reviewed on the ground of discovery of new and important matters or evidence which, after the exercise of due diligence, was not within the knowledge of the party or could not be produced by him at the time when the order was passed. Another ground is that if some mistake or error apparent on the face of the record is available or for any other sufficient reason.

2. The provisions relating to power of review constitute an exception to the general rule that when once a judgment is signed and pronounced, it cannot afterwards be altered or added to and hence a right of review is exercisable only where the circumstances are distinctly covered by the statutory exceptions. In such a case, the onus lies heavily upon the petitioner to make out a case for review and the advantage of doubt as to which side was correct must go to the other side. Where a review of a judgment is asked for by a party, greatest care ought to be exercised by the court in granting the review, specially when the grounds lie on a thin layer of ice. It is so easy to the party who has lost his case to see what the weak part of his case was and the temptation to try and procure evidence which will strengthen that weak part and put a different complexion upon that part of the case, must be very strong.

3. The judgment has been passed after hearing both the parties and after perusing the pleadings of the applicant and the respondents. The facts enumerated in the judgment were checked by us and we find that there appears to be no mistake of fact apparent on the record. As the onus lies heavily upon the petitioner to make out a case for review, the petitioner has failed to convince

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us that there is any mistake apparent on the face of the record.
We, consequently, dismiss this R.A.

Ram Pal Singh
(RAM PAL SINGH)

VICE-CHAIRMAN (J)
123.1992

Hon'ble Member, Shri L.P. Gupta

I. P. Gupta
12/3/92