

(13)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

RA.67/92
OA.2367/91

Date of Decision: 25.3.92.

Shri Ajay Parveen

Applicant

Vs.

Union of India & Anr.

Respondents

CORAM:

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

The Hon'ble Shri. J.P. Sharma, Member(A)

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporter or not?

JUDGEMENT

(delivered by Hon'ble Member Shri J.P. Sharma)

Union of India has preferred this review petition against the judgement dated 17.1.92, by which the application was allowed and the impugned order dated 24.1.91 was set aside and quashed and the respondents were directed to allot the quarter No.185/B-4 Railway Colony, Pahar Ganj, New Delhi in favour of the applicant.

2. As provided by Section 22(3)(f) of the Act, the Tribunal possesses the same powers of review as are vested in a civil court while trying a civil suit. As per the provisions of Order XLVII, Rule 1 of the Code of Civil Procedure, a decision/judgement /order can be reviewed:

(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 "analogues reason".

3. The learned counsel for the Union of India has filed a copy of the Railway Boards letter dated 15.3.91, which is at Annexure R2 of the review petition. However, this document was not placed along with the counter affidavit nor at the time of arguments. The learned counsel has also not given any reason why this document was not filed at the relevant time. Thus the documents in question cannot now be taken to reopen the whole matter again. The review petition is not covered under the provisions of order XLVII, Rule 1 of the CPc and is therefore dismissed by circulation.

J.P. Sharma

(J.P. SHARMA)

MEMBER(J)

25.3.92

I.K. Rasgotra

(I.K. RASGOTRA)

MEMBER(A)