

(20)

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

RA No.125/92 in OA No. 598/91

Shri C.B. Singh Vs. Union of India & Ors.

The applicant has preferred this RA under Section 22(3) (f) of the Administrative Tribunals Act, 1985 for the review of the order dt.27.2.1992.

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 "analogous reason".

↓

In this case, the only ground taken by the applicant is regarding a factual error in para 7 of the judgement referring to the fact that "The applicant opted for the grade pay which is not supported by any pleadings of the case." This matter has been discussed in para 7 of the judgement and it is evident from the record that the applicant when joined Coast Guard Headquarters as JDOL, he was given the pay of the post. Thus there is no anomaly in the order and the same is evident from the pleadings.

Grounds No.(1) to (5) are only illustrative references to facts and do not point out any omission ^{or} non consideration of evidence in the judgements.

The review petition cannot reopen the whole case which has been decided on the basis of the arguments advanced by the respective parties.

There is no merit in the Review Application and is dismissed by circulation.

J.P. Sharma
(J.P. SHARMA)
27.4.92
MEMBER(J)

I.K. Rasgotra
(I.K. RASGOTRA)
MEMBER(A)