

(14)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, DELHI.

R.A. 126/92 in O.A. 2845/91 DATED: April 24, 1992.
and M.P. 1203/92.

C.M. Naidu V/s. Union of India & Another.

The applicant has preferred this R.A. under Section 22(3)(f) of the Administrative Tribunals Act, 1985, seeking review of the judgment dated 6-2-1992, by which the O.A. 2845/1991 for change of date of his birth from 1.1.1934 to 10.1.1936 was dismissed. The R.A. has been filed on 13.4.1992 along with M.P. No.1203/92 for condonation of delay in filing the R.A. Admittedly, copy of the judgment was received by the counsel of the applicant on 19.2.1992. There is hardly any justification for condonation of delay. Even otherwise, the case of the applicant is not covered by any of the conditions provided in Order XLVII, Rule 1 of the Code of Civil Procedure, as per which 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".

As provided under Section 22(3)(f) of the Act *ibid*, the Tribunal possesses the same powers of review as are vested in a civil court while trying a civil suit. The points raised in the R.A. have already been discussed in the judgment and the decision arrived at in the judgment was on the basis of the overall assessment and analysis of the facts of the case. I do not find any merit in the R.A. M.P. 1203/92 as also R.A. 126/92 in O.A. 2845/91 are accordingly rejected.

(14)
(P.C. JAIN) 24/4/92
MEMBER(A)