

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

(14)

R.A. 131/92 in O.A. 2910/91
R.A. 132/92 in O.A. 2911/91
R.A. 133/92 in O.A. 2912/91
R.A. 134/92 in O.A. 2913/91

Date of decision: 29.4.92

Gyan Singh Versus Union of India
N.D.Sharma Versus Union of India
B.Didar Versus Union of India
Bhana Ram Sharma Versus Union of India.

This order shall govern the disposal of R.A. Nos. 131/92, 132/92, 133/92 and 134/92.

2. This Review Application has been filed by the applicants in a judgement delivered on 13.3.92 in O.As. 2910/91, 2911/91, 2912/91 and 2913/91. Law with regard to the power of review is well settled by now that the judgement 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. The provisions relating to power of review constitute an exception to the general rule that when once a judgement 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 statutory exceptions. In such a case, the onus lies heavily upon the petitioner to make out a case for review of the judgement and the advantage of doubt as to which side was correct, must go to the other side. Where a review of a judgement

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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. On the anvil of this settled position of law, we have examined our judgement on the grounds of the review, prayed for. A judgement cannot be reviewed if it contains an incorrect exposition of law. Thus, this Review Application appears to be ~~frivolous~~ and without any merit. It is, therefore, dismissed without notice.

29/4/12
(RAM PAL SINGH)
VICE CHAIRMAN(J)

Sh. Singh
Hon'ble Sh. I. K. Rasgotra, 29/4/12
Member(A).