

(18)

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH
.....

R.A. 182/95 in OA-580/91.

28.8.95

CORAM:

Hon'ble Mr. B.K. Singh, Member (A)

Hon'ble Mr. P. Suryaprakasam, Member (J).

- | | | |
|---------------------------|---|-----------------------|
| 1. Shri Jitendra Nath | } | Technical Assistants, |
| 2. Shri B.K. Sahay | | National Museum, |
| 3. Smt. Anamijka Pathak | | Janpath, New Delhi. |
| 4. Smt. Anju Sachdeva | | |
| 5. Shri Sunil Kumar Singh | | |
| 6. Shri Sanjib Kumar | | |

: Applicants

(By Advocate Shri Ranjit Prakash)

Vs.

1. The Secretary,
Department of Culture,
M/o Human Resources Development,
Shastri Bhawan, New Delhi.
2. The Director General,
National Museum,
Janpath, New Delhi.

: Respondents

O R D E R

P. SURYAPRAKASAM, JUDICIAL MEMBER

This Review Application has been filed against the judgement rendered in the main O.A. on 7.4.95.

2. We have perused the contents of the Review Application and it is manifest that the grounds taken therein do not bring them within the scope and ambit of order 47 of Rule 1 of CPC under which alone any decision/judgement/order of the Tribunal could be reviewed. And the Hon'ble Supreme Court while interpreting order 47 of Rule 1 of CPC in Meera Bhanja(Smt) Vs. Nirmala Kumari Choudhury (Smt.) (1995 1 SCC 170) observed

as follows:

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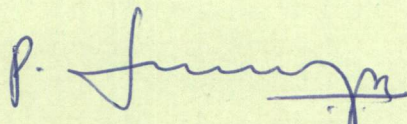
"The review proceedings are not by way of an appeal and have to be strictly confined to the scope and ambit of Order 47, Rule 1, CPC. The review petition has to be entertained only on the ground of error apparent on the face of the record and not on any other ground. An error apparent on the face of record must be such an error which must strike one or mere looking at the record and would not require any long-drawn process of reasoning on points where there may conceivably be two opinions. The limitation of powers of court under Order 47 Rule 1, CPC is similar to the jurisdiction available to the High Court while seeking review of the orders under Article 226."

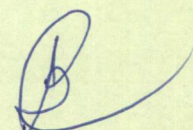
The grounds raised by the applicants are not covered by any of the guidelines presented by the Hon'ble Supreme Court in the above decision. ((1995 1 SCC 170)). Actually in the guise of these Review Application what is actually being sought is to appeal against the judgement dated 7.4.95, which is not permitted under the Ruling rendered in Sow. Chandra Kanta and another Vs. Sheik Habib (AIR 1975 SC 1500). The Court observed that:

"A review of a judgment is a serious step and reluctant resort to it is proper only where a glaring omission or patent mistake or like grave error has crept in earlier by judicial fallibility."

3. Our judgment dated 2.6.95 is a well considered one passed after hearing both sides and considering all the available material.

4. This Review Application is accordingly rejected. Let a copy of this order be placed on the files of the R.A.


P. SURYAPRAKASAM
JUDICIAL MEMBER


B.K. SINGH
ADMINISTRATIVE MEMBER