

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

RA NO.199/92 IN MP-1633/92 DATE OF ORDER: 5.6.1992.
OA NO.356/91 and

ANANG PAL SINGH ...APPLICANT

VERSUS

UNION OF INDIA ...RESPONDENTS

CORAM:-

THE HON'BLE MR. P.K. KARTHA, VICE-CHAIRMAN (J)

THE HON'BLE MR. I.K. RASGOTRA, MEMBER (A)

O R D E R

The Review Application has been filed seeking review of our judgement in Ex-Constable Anang Pal Singh Vs. Commissioner of Police and Another in OA 356/91 delivered on 22.5.92. The burden of the grounds taken in the RA for justifying review of the judgement is that the applicant had filed written arguments which have neither been mentioned in the judgement nor have been adjudicated upon or dealt with.

We have carefully considered the Review Application and perused our judgement in **Ex-Constable Anang Pal Singh (supra)** which was pronounced after hearing "the learned counsel of both parties" and after perusing "the material on record". The ground, therefore, that no reference has specifically been made to the written arguments filed by the applicant does not constitute an error on the face of record ~~and~~ ^{nor does it} tantamount ~~to~~ ^{of} discovery of new evidence which was not available to the applicant had he exercised due diligence. It is not necessary to refer each and every arguments put-forth by the learned counsel for the applicant (**J. Rangaswami Vs. Govt. of A.P. & Ors. AIR 1990 SC 53**). *Q*

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The scope of the R.A. lies in a very narrow compass. The R.A. cannot also be used as a vehicle for re-arguing the case as held by the Hon'ble Supreme Court in **Chandra Kanta and another v. Sheik Habib** -

AIR 1975 SC 1500:

"Once an order has been passed by the Court, a review thereof must be subject to the rules of the game and cannot be lightly entertained. A review of a judgement is a serious step and a resort to it is proper only where a glaring omission or patent mistake has crept in earlier by judicial fallibility. A mere repetition through a different counsel, of the old and overruled arguments, a second trip over ineffectually covered ground or minor mistakes of inconsequential import, are obviously insufficient."

In the above circumstances, the R.A. is rejected in circulation. MP-1633/92 is also rejected.

Dilip
(I.K. RASGOTRA
MEMBER(A) 5/6/92)

answ
5/6/92
(P.K. KARTHA)
VICE-CHAIRMAN