

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

23-12-91

DA 21/1991 in OA 1844/1991

SIRI JAMAL UDDIN VS. UNION OF INDIA & ANOTHER

The applicant has preferred this Review Application against the order dt. 20.11.1991 in OA 1844/1991.

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".

3. The point taken by the learned counsel in the Review is that the order of respondents disposing of the representation dt. 30.10.1990 has not been disposed of by the speaking order. This point is fully discussed in the judgement and needs no further elaboration of the reasonings of review of the finding.

16

4. The points (B), (C), (D) and (E) refer to the earlier judgement in OA 27/91, but the direction in OA 27/91 was to the respondents only to dispose of the representation of the applicant dt. 30.10.1990. By the judgement under Review, that finding has not at all been touched and para-3 of the judgement under Review discusses that matter. The points (F) & (G) are covered by para-9 & 10 of the judgement under Review. The applicant cannot reopen the matter again.

5. In view of the above discussion, we find no force in the Review Application and, therefore, is dismissed by circulation.

J. P. Sharma
(J.P. SHARMA)

MEMBER (J) 23/12/91

B. K. Chakravorty
(B.K. CHAKRAVORTY)
MEMBER (A)