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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

NEW DELHI

New Delhi this the 31st day of Aug., 1995

RA No. 217 of 1995

in

OA No. 1372 of 1991.

HON'BLE MR J.P.SHARMA, MEMBER(J)

HON'BLE MR B.K.SINGH, MEMBER(A)

Smt. Radha Wadhawan,
Telephone Operator
President's Secretariat
Rashtrapati Bhawan,
New Delhi & Ors.

.... Applicants.

Versus

1. Secretary,
President's Secretariat
Rashtrapati Bhawan,
New Delhi.

2. Secretary
Department of Personnel & Training
Ministry of Personnel & Training
Administrative Reforms & PG & Pensions
Govt. of India,
New Delhi.

.... Respondents.

ORDER (by circulation)

(delivered by Hon'ble Mr B.K.Singh)

This Review Application No. 217 of 1995 has been filed against the judgment and order passed in O.A. No. 1372/91 decided on 8th June, 1995. Although the application is barred by limitation since after removing objections it was filed on 14th August, 1995 without any application for condonation of delay, yet in the interest of justice we condone the delay.

The power of review is exercised under Order 47 Rule 1 of the Code of Civil Procedure read with provisions of Section 114 of the same Code. The review can be made on the ground that any important piece of evidence or matter, which was of vital importance and which could have materially changed the judgment, inspite of due diligence was not in the knowledge of the review applicant when

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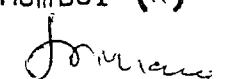
the O.A. was heard finally or when the orders were made. It could be also on the basis of any important document which, inspite of due diligence was not available with the review applicant when the case was finally heard but the same is available now. There is no such document or there is no new piece of evidence or no new matter which can warrant a review of the order already made.

The other ground, on the basis of which a review can be made is on the basis of an error factual or legal apparent on the face of the record. The review applicant has not been able to show any manifest factual or legal error, therefore, on this ground also no review is possible. The third ground is analogous to the aforesaid two, i.e., there should be some other substantial and reasonable cause to warrant a review. That is also not there.

Therefore, none of the grounds mentioned under Order 47 Rule 1 C.P.C. are available for reviewing judgement and order dated 8th June, 1995 in O.A. No. 1372 of 1991. The application is, therefore, summarily rejected under Order 47 Rule 4(1) of the Code of Civil Procedure.


(B.K. SINGH)
Member (A)

I agree


(J.P. SHARMA)
Member (J)

/sds/