

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

RA No.252/92 in
OA No.2627/91

Date of decision:- 20.7.92

Sh.R.D.Agarwal ..

Applicant

versus

U.O.I.&Anr. .. Respondents

CORAM:THE HON'BLE MR.T.S.OBEROI, MEMBER(J)
THE HON'BLE MR.I.K.RASGOTRA, MEMBER(A)

ORDER (BY CIRCULATION)

This review application has been filed by the applicant in OA 2627/91 which was dismissed by us vide judgement dated 9.4.92. We propose to deal with the same, by circulation, in terms of Rule 17(iii) of the Central Administrative Tribunal (Procedure) Rules,1987. The scope of review, as provided in Section 22(3)(f) of the Administrative Tribunals Act,1985, is analogous to that provided in Order XLVII, Rule 1 of the Code of Civil Procedure, 1908, which provides for review of a decision/judgement/order in the following three eventualities:-

- (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.

The expression "any other sufficient reason" has construed to mean "analogous reason".

2. We have examined the grounds of review, as shown in the present application, in the light of the above provisions. Broadly speaking, the

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applicant has asked for the review on the ground that the Principal Bench had the jurisdiction to deal with the OA, no matter he was serving in the jurisdiction of the Allahabad Bench of this Tribunal; that his service record which was asked for by this Bench, was not complete in all respects; and that the respondents may have produced some record other than that of the applicant, especially so when the ~~record application~~ had not been perused by the Bench, in applicant's presence. Precisely, these points, besides some others, were earlier urged by the applicant, in his Original Application, as well. The scope of the review is limited as would be seen from the contingencies, mentioned above. Atleast, it is not so to seek a re-hearing in the garb of a review application.

3. In result, we find no merit in the present Review Application, which, accordingly is rejected.

Salve
(I.K.RASGOTRA)
MEMBER(A)

20-7-92
(T.S.OBEROI)
MEMBER(J)