

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
* * *

RA 369/92 in OA 1742/91

Date of Decision: 2.12.92

Shri S.P. Dhir vs. Union of India & Ors.

ORDER

The applicant has filed the Review Application against the judgement dt. 23.10.1992 by which the application of the applicant was partly allowed with the following directions :-

"In view of the above discussion, the application is partly allowed with the direction to respondent No.2 that an amount equal to what the Government had contributed had the officer been on the Contributory Fund terms under the Government with simple interest @12% p.a. on the amount for the entire period of pensionable service put in by the applicant under Government prior to his permanent absorption in ONGC w.e.f. March, 1964, be paid to him within a period of three months from the date of receipt of a copy of this judgement. Since the applicant has come quite late, so he shall not be allowed any further interest on that amount if the amount is well paid within a period of three months from the date of receipt of a copy of this judgement. If the said amount is not paid within three months, the applicant shall be entitled to interest @12% p.a. from the date after three months, as said above. In the circumstances, the parties shall bear their own costs."

In this Review Application, the applicant has again placed written arguments in the garb of grounds for review.

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. There is no glaring error apparent on the face of the judgement. The arguments advanced at the time of hearing have been fully covered within the judgement.

In view of the above facts, the Review Application is devoid of merit and is dismissed.

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(J.P. SHARMA)
MEMBER (J)
29/11/92