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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

R.A.No. 404/93

Date of decision. 29/11/93

in

M.P.No.2287/93

M.P.No.3213/93

in

O.A.No.2237/91.

Shri S.P. Shukla,
Traffic Inspector of COPS Office,
N.E. Railway, Gorakhpur (now retired)
s/o Pt. Bhamari Prasad Shukla,
r/o Mohalla Mewatipur,
Gorakhpur (U.P.)

... Applicant

(Shri P.K. Bajaj, Advocate)

versus

1. Union of India through the
Secretary, Railway Board,
Rail Bhawan, New Delhi.

2. The General Manager,
North Eastern Railway,
Gorakhpur (U.P.)

... Respondents

O_R_D_E_R

This Review Application has been filed seeking review of our order in M.P.No. 2287/93, M.P.No. 927/93 and O.A. No. 2237/91 rendered on 3.9.1993. The above said Order narrated various dates in which the counsel for the applicant did not appear. No reasonable/satisfactory explanations have been given by the counsel for not appearing on the scheduled dates. Accordingly, M.P. No.927/93 was dismissed on 7.7.93. The O.A.No. 2237/91 itself was dismissed on 19.2.1993 and M.P. No. 751/93 was dismissed on 7.3.1993. It is also stated that the

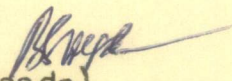
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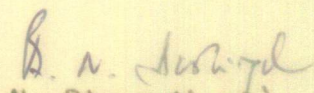
counsel had given his explanation for his absence on 7.7.93 only and not for other dates. Accordingly, the M.P. No. 3213/93 was dismissed as devoid of merit.

2. Under O. 47 Rule 1 C.P.C., a decision/judgement/order can be reviewed only if -

- (i) it suffers from an error apparent on the face of the record;
- (ii) new material or evidence is discovered which was not within the knowledge of the parties or could not be produced by that party at the time the judgment was made, despite due diligence; or
- (iii) for any sufficient reason construed to mean analogous reason.

3. A perusal of the review petition makes it clear that none of the ingredients, referred to above, have been made out to warrant a review. Further, 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. The Review Application cannot be utilized for re-arguing the case traversing the same ground. We have heard the learned counsel for the applicant on the Review Applicant. We find no merit in the Review Application and hence the same is dismissed.


(B.S. Hegde)
Member (J)


(B.N. Dhoundiyal)
Member (A)