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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

RA 120/2006
In
OA 2860/2004

New Delhi, this the 11th day of August, 2006

Hon'ble Shri Justice M.A Khan, Vice Chairman (J)
Hon'ble Shri V.K. Agnihotri, Member (A)

1. Talib Jamal
S/o Sh. Syed Farooq Jamal
R/o F-50 Abdul Fazal Enclave,
Jamia Nagar, New Delhi.
2. Rukhsana
W/o Talib Jamal
S/o Sh. Syed Farooq Jamal
R/o F-50 Abdul Fazal Enclave,
Jamia Nagar, New Delhi.

...Applicants.

VERSUS

Union of India & Ors. through :

1. The Secretary,
Ministry of Information & Broadcasting
Shastri Bhawan, New Delhi.
2. The Director General,
Prasar Bharti, Doordarshan Bhawan,
Mandi House, New Delhi.
3. The Director General (News),
Doordarshan News,
C.P.C. Khel Gaon,
New Delhi.
4. The Deputy Director (News),
Doordarshan News,
C.P.C. Khel Gaon,
New Delhi.

..Respondents.



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ORDER (BY CIRCULATION)**By V.K. Agnihotri, Member (A) :**

This RA has been filed under Section 22 (3) (f) of Administrative Tribunals Act, 1985 read with Rule 17 of the CAT (Procedure) Rules, 1987 for recalling the order dated 09.06.2006 of this Tribunal passed in OA No. 2860/2004.

2. R.A. has been referred to the same bench, which had passed the order in OA No. 2860/2004.

3. In OA No. 2860/2004, the applicants had prayed for regularization of their services as Urdu Graphic Artists in terms of the Scheme for Regularization of Casual Production Assistants and General Assistants in All India Radio, framed by the respondents, with all consequential benefits. The said OA was dismissed on the ground that the applicants had failed to establish that they had worked for a period of 72 days in a calendar year up to or before 31.12.1992, i.e. the criteria prescribed under the Scheme.

4. In Review Application, the respondents have again reiterated some of the points made by them earlier including enclosure of a copy of the representation made by applicant no.1 with an endorsement dated 25.01.2001 and letter dated 13.12.1996 by Shri Ramji Tripathi, Additional Director, both of which incidently relate to a period subsequent to 31.12.1992.

5. As stated in Rule 1 of Order XLVII of the Code of Civil Procedure (CPC), 1908, an application for review can be filed where there is discovery of new and important matter or evidence, which, after exercise of due diligence was not within the knowledge of the aggrieved



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person or could not be produced by him at the time when the order was passed or where some mistake or error apparent exists on the face of the records.

6. The scope of the Review, therefore, is very limited and has been succinctly defined in the judgment of the Hon'ble Supreme Court in **Union of India v. Tarit Ranjan Das**, 2004 SCC (L&S) 160, as follows:


"The scope of review is rather limited and it is not permissible for the forum hearing the review application to act as an appellate authority in respect of the original order by a fresh order and rehearing of the matter to facilitate a change of opinion on merits."


Same is the ratio of the judgment of the Hon'ble Supreme Court in **Chandra Kanta & Anr. v. Sheik Habib**, AIR 1975 SC 1500 and of the order of CAT (Patna Bench) in **Union of India & Ors. v. Shri Shyam Deo Singh & Ors.**, 1996 (2) SLJ 651.

7. In the present R.A, we find that the applicants have failed to provide any relevant new evidence, which was not within their knowledge earlier. They have also failed to establish that there is some mistake or error apparent on the face of the records. Hence, based on the material on the basis of which the matter has already been adjudicated earlier, this Tribunal is not in a position to sit in appeal over its own order.

8. In the result, for the above mentioned reasons, the Review Application is not tenable and is accordingly dismissed by circulation.

There will be no order as to costs.


(V.K. Agnihotri)
Member (A)


(M.A. Khan)
Vice Chairman (J)

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