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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

...

R.A.No.9 of 1994

in

O.A. No.1992/92

13th Day of January, 1994.

Hon'ble Shri B. K. Singh, Member(A)

Dr K. S. Puri
S/o Shri G. S. Puri
D-1/129, Chanakyapuri
NEW DELHI

... Applicant

By Advocate

Vs.

1. Union of India through
Director of Estates
Nirman Bhawan
NEW DELHI

2. Estate Officer
Directorate of Estate
Nirman Bhawan
NEW DELHI

... Respondents

By Advocate

O R D E R

Hon'ble Shri B. K. Singh, Member(A)

I have gone through the R.A. filed against
Judgement dated 18th November, 1993 Dr K. S. Puri
as applicant and Union of India through Director
of Estates, New Delhi and Estate Officer,
Directorate of Estate, New Delhi as respondents.

2. To succeed, a Review Applicant has to show
that the application falls within the four
corners of order 47 Rule 1 read with Section 114
of C.P.C. The Tribunal does not have any inherent
power of review. A Review Application lies only

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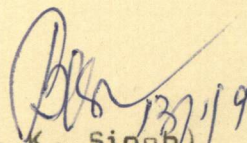
when there is discovery of a new and important matter or evidence which inspite of due diligence could not be produced at the time of hearing of the O.A. or there must be some mistake or error apparent on the face of the record or there must be other sufficient cause and reason warranting a review of the application.

3. I have gone through the R.A. and have found that the R.A. has not brought out any evidence or fact which could not be produced by the learned counsel for the applicant at the time of hearing. It was also an ex-parte hearing and the learned counsel for the applicant had full opportunity to argue his case. It is also a fact that A.D.J. as an Appellate Authority, had considered the matter of cancellation of allotment beyond his jurisdiction. Allotment and its cancellation falls within the domain of the executive. The learned A.D.J. had also cited the appropriate rulings of the Hon'ble Delhi High Court to substantiate his conclusions that there is no merit in the appeal filed by the applicant. In the present R.A. no error or mistake factual or legal has been pointed out nor is there any other reason for reviewing the Judgement passed in O.A.No.1992/92. Order 47 Rule 4(1) lays down that if there is no sufficient ground for review, the application shall be rejected.

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24

Review Petition is not for fresh hearing of arguments but it is only meant for correction of patent error or fact of law which stares one on the face of the record without any elaborate argument being needed to establish it. The plea not taken in O.A. cannot be raised in R.A.. This R.A. does not fall within the four corners of order 47 Rule 1, read with Section 114 of C.P.C. and accordingly it is rejected.


(B. K. Singh)
Member (A)

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