

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

R.A. No. 20/1995

in

D.A. No. 2437/1992

New Delhi this the 18th day of January, 1995.

Hon'ble Mr. Justice S.C. Mathur, Chairman

Hon'ble Mr. P.T. Thiruvengadam, Member (J)

Shri K.P. Dohare,
Addl. Industrial Adviser (Retd.),
B-2/63, Paschim Vihar,
New Delhi-110 063.

.. Applicant

(By applicant in Person)

Vs.

Union of India, through

1. Secretary (TD) & DGTD,
Ministry of Industry,
Udyog Bhawan,
New Delhi-110 011.

2. Secretary,
Ministry of Industry,
Udyog Bhawan,
New Delhi-110 011.

3. Secretary,
Union Public Service Commission,
Dholpur House,
New Delhi-110 011.

4. Shri P.R. Latey,
Retd. Secretary,
Through Ministry of Industry,
Udyog Bhawan,
New Delhi-110 011.

5. Shri M.S. Grover,
DDG (Chemicals),
Through Ministry of Industry,
New Delhi.

... Respondents

O R D E R

Shri Justice S. C. Mathur -

The applicant claims review of our judgment and order
dated 24.11.1994 passed in D.A. No. 2437/92.

2. In the D.A., the applicant had claimed two substantive
reliefs. The first claim of the applicant was to command the
respondents to confirm the applicant in the post of Development
Officer (Chemicals) from the date his junior was confirmed,

(15)

and the second claim was to command the respondents to promote him to the post of Additional Industrial Adviser from the date his junior, P. V. Mehta, was promoted. In respect of both the claims we have recorded in our judgment sought to be reviewed specific findings. If the applicant feels that those findings are incorrect, his remedy lies in approaching the appellate court and not in filing review application.

3. In ground B. the applicant has stated that he has discovered new and important matter which after exercise of due diligence could not be specifically brought to the notice of the Bench during the course of arguments though the same forms part of the pleadings. After making this statement, the applicant has merely repeated the arguments which were advanced by him at the time of hearing and has of course added a few more. The forum of review cannot be utilised for repetition of arguments already considered and rejected.

4. It is also averred in the grounds of review that the Tribunal had directed the respondents to produce service record/service book of the applicant but the same was not produced and the arguments were proceeded with. This, according to the applicant, has resulted in grave error. In our opinion, no miscarriage of justice has occurred on account of non-production of the record. The validity of the recommendation of the D.P.C. has been specifically dealt with in the judgment.

5. In view of the above, the application is dismissed in circulation.

P. J. *[Signature]*

(P. T. Thiruvengadam)
Member (A)

[Signature]
(S. C. Mathur)
Chairman

/as/