

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

NEW DELHI

30

RA-59/95 in
OA-881/1992

Date of decision 29.9.95

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Shri Sukhjit Singh,
resident of WZ 202, Krishna Puri,
Gali No.1, New Delhi-110018

.. Review Applicant

(None for the Review Applicant)

Vs.

1. Union of India, through
Secretary,
to the Govt. of India, Ministry of Home
Affairs,
New Delhi.
2. Chief Secretary,
Delhi Administration,
Alipur Road, Delhi.
3. Director, Civil Defence,
Home Guards, Training College Complex,
near Shivaji College, Raja Garden,
New Delhi.
4. The Commandant,
505, Army Base Workshop,
Delhi Cantt.

.. Respondents

(By Advocate Shri Arun Bhardwaj,
counsel for the respondents 1 to 3)

(By Advocate Shri M.K. Gupta, counsel
for respondent No.4)

U R D E R (JURAL)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

This review application No. 59/95 has been
filed by the applicant seeking review of the order
dated 16.1.1995 in OA No.881/1992.

2. None appeared for the applicant on the last
date, i.e. 15.9.1995. But applicants' counsel, Shri
Ahluwalia was heard on 7.6.1995 when he sought permission
to continue the arguments further. None has appeared for
the applicant
even today. Learned counsel for the respondents have
been heard.

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31

3. I have carefully perused the review application and considered the arguments put forward by Shri Ahluwalia in this case. The review application seeks to re-agitate the matter afresh which has been decided by order dated 16.1.1995. It is well settled law that the grounds on which RA can be allowed are limited to grounds provided under Order 47 rule 1, CPC.i.e. where there is any error apparent on the face of the record, or some new evidence has come to notice which was not available even after exercise of due diligence or any other sufficient reason to warrant a review. In a catena of judgments (see Thungabhadra Industries Ltd. v. Govt. of A.P. (AIR 1964 S.C. 1372 and Chandra Kanta v. Sheik Habib (AIR 1975 S.C. 1500), the Supreme Court has held that a Review cannot be treated as an appeal and the parties allowed to re-agitate the matter on the same grounds which have already been taken in the original application. The so called errors alleged in the Review petition are no errors at all but conclusions based on materials on record. If the applicant is under the apprehension that the decision is wrong, his remedy lies elsewhere and not by way of filing Review Application in this Tribunal.

4. In the circumstances mentioned above, there is no merit in the RA and it is rejected.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

s.k.