

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

R.A. 128/93 in OA 573/92

Shri Jeet Singh

Vs. Union of India & Others

For the applicant

.. Shri K.L.Bhatia

For the respondents

.. Shri P.P.Khurana

JUDGEMENT

The review application is filed by the applicant against the judgement delivered in OA 573/92 dated 4.3.1993, inter alia directing the respondents to constitute a fresh DPC and consider the case of the applicant for crossing efficiency bar in the light of the observations that the respondents have not made out any case to satisfy that the adverse remarks are made with a view to warn the applicant so that he can improve his performance in future and to pass orders as per rules within three months of the date of receipt of the judgement.

2. The applicant has come with the prayer in the review application for expunction of the adverse remarks in the CR for 1988 and that he may be granted annual increment with effect from 1.11.90 and 1.11.91 with arrears as may be accrued after crossing the EB.

3. As per Order 47, Rule 1 of CPC, a review application can be filed only when some new material which is not available with the applicant at the time of the hearing and that he subsequently got into possession which has a bearing on the case, or that there is an apparent mistake crept in the judgement or if there is any sufficient reason. None of these conditions is noticed in the present RA.

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4. Also, as per AIR 1975 - SC 1500, a review of the judgement is a serious step and a reluctant resort to it is proper only where a glaring omission or a patent mistake or a grave error has crept in earlier by judicial fallability.

5. The above mentioned judgement was given after hearing both the counsel and perusing the records made available at the time of hearing the arguments and after considering the relevant facts. There is no mistake apparent on the judgement. Since clear directions were given to the respondents as stated supra, the applicant should have represented to the respondents rather than filing this RA reurging the same points already argued and considered. Again, three months period given to the respondents is not yet over. Besides, a review can not be converted into an appeal by reurging the same points again and again.

6. In the circumstances, the RA is dismissed with no orders as to costs.

(C.J. ROY)

Member (J)

28.4.93