

CENTRAL ADMINISTRATIVE TRIBUNA, PRINCIPAL BENCH

RA No.157/97 in OA 1953/1992

New Delhi, this 28th day of July, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)
Hon'ble Shri S.P. Biswas, Member(A)

Sub-Inspector Husan Singh, No.D/394
s/o Shri B.S. Verma
301, Police Colony, Ashok Vihar
Delhi-32 .. Applicant

(in person)

versus

Union of India, through

1. Secretary
M/Home Affairs, New Delhi
2. Commissioner of Police
MSO Building, IP Estate, New Delhi .. Respondents

ORDER(in circulation)

Hon'ble Shri S.P. Biswas

This RA has been filed against the order dated
9.4.97 passed in OA 1953/1992. That OA was partly
allowed and disposed of with the following orders:

(a) The appeal of the applicant to allow him
special pay from 1.1.88, the date from which
it was stopped fails being devoid of merits;

(b) The decision of the respondents to effect
recovery of overpayment from 1.1.86 onwards is
set aside; and

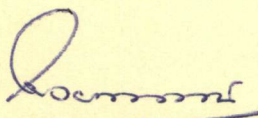
(c) If the respondents are of the opinion that
the amount of overpayment has to be recovered,
they have to issue show cause notice to the
applicant, hear him, consider his defence and
take an objective decision recording reasons
thereof.

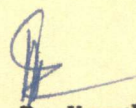
2. At the outset, it is made clear that the scope of
review is very limited. The Tribunal is not vested with
any inherent power of review. It exercises that power
under Order 47, Rule 1 of CPC which permits review if
there is (1) discovery of a new and important piece of
evidence, which inspite of due diligence was not
available with the review applicant at the time of

39

hearing or when the order was made; (2) an error apparent on the face of the record or (3) any other analogous ground. None of these ingredients are available in the present RA. The grounds advanced by the review applicant have already been carefully considered by us at the time of hearing and therefore there is no fresh ground now that would warrant us to review our judgement.

3. In the circumstances, the RA is rejected being devoid of merits.


(S.P. Biswas)
Member(A)


(Dr. Jose P. Verghese)
Vice-Chairman(J)

/gtv/