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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

RA No.178/93 in
OA No.2229/92

Date of Order: 5.7.93

Shri Durga Parshad Sharma

...Petitioner

Versus

Union of India & Others

...Respondents

Coram: The Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman
The Hon'ble Mr. I.K. Rasgotra, Member (A)

O R D E R

The petitioner in this review petition is seeking review of our judgement dated 19.4.1993 rendered in OA-2229/92. We had dismissed the petition on perusal of the relevant proceedings of the DPC, according to which he was not recommended for promotion from the post of J.A.O. (Rs.1640-2900) to the post of A.A.O. (Rs.2000-3200). The scope of the review is extremely limited. A judgement can be reviewed only on exceptional grounds, as provided in Order XLVII of Code of Civil Procedure. The normal rule is that the judgement once rendered cannot be reviewed. It is only on exceptional grounds e.g. when there is an error apparent on the face of record or discovery of new evidence/document which was not available to the petitioner even after exercise of due diligence or for any other sufficient reason.

2. On careful consideration of the review petition we find that the review does not fall within the purview of the above statutory exceptions. On the other hand, the petitioner is seeking to reargue the entire matter. It has been held by the Supreme Court in the case of **Chandra Kanta and another v. Sheik Habib AIR 1975 SC 1500** that:-

"Once an order has been passed by the Court, a review thereof must be subject to the rules of the game and cannot be lightly entertained."

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A review of a judgement is a serious step and a resort to it is proper only where a glaring omission or patent mistake or grave error has crept in earlier by judicial fallibility. A mere repetition through a different counsel, of the old and overruled arguments, a second trip over ineffectually covered ground or minor mistakes of inconsequential import, are obviously insufficient."

3. In view of the above, the R.A. is rejected in circulation.

I.K. Rasgotra
(I.K. Rasgotra)
Member(A)

S.K. Dhaon
(S.K. Dhaon)
Vice-Chairman(J)

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