

(14)

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

RA No.211/93 in
OA No.2003/92

Date of decision: 19.07.93.

Shri Lakshman Dass

...Petitioner

Versus

Union of India & Others

...Respondents

Coram:-

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

O R D E R

In this review petition the petitioner is praying for review of our judgement in OA-2003/92 rendered on 21.04.1993. The main grounds adduced are:-

- a) that the petitioner was chargesheeted by an authority other than the disciplinary authority, as indicated in the Gazette of India dated 25.9.78;
- b) the leave application of the petitioner for the long period of absence was sanctioned by the respondents. Once the leave is sanctioned he cannot be treated as absent for that period;
- c) the enquiry officer was appointed before issuance of chargememo to the applicant; and
- d) the enquiry proceedings were tampered with.

These points had been taken by the petitioner in his O.A. and have been dealt with in our decision in OA-2003 of 1992. The scope of the review petition lies in a very narrow compass. A decision once rendered can be reviewed only:-

- i) if there is an error apparent on the face of record;
- ii) discovery of new and important material which was not available earlier even after exercise of due diligence; and

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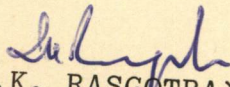
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iii) for any other sufficient reason.


There can be no review of the judgement once rendered, unless the grounds are covered by the statutory exceptions provided in Order XLVII of Code of Civil Procedure, as indicated above. The Hon'ble Suprem Court in **Chadra Kanta and another v. Sheik Habib - AIR 1975 SC 1500** has held:-

"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. 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."

In the above circumstances of the case, the review petition is rejected in circulation.


(I.K. RASGOTRA)
MEMBER(A)

San.


(S.K. DHAON)
VICE-CHAIRMAN