

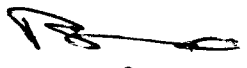

RA-264/P7

OA 1188/P2

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17/11/97

RA 264/P7 in OA 1188/P2 has been
dismissed by Hon'ble Mrs Lalitha Sreenivasan
member (J) and Hon'ble Mr R.V. Arora
member (A) on 17/11/97 by circulation



for C-1C/V

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Central Administrative Tribunal
Principal Bench

RA 264/97
in
OA 1188/92

New Delhi this the 17th day of November, 1997

Hon'ble Smt. Lakshmi Swaminathan, Member(J).
Hon'ble Shri R.K. Ahooja, Member(A).

Ajeet Kumar Verma,
S/o Late Shri R.P. Verma,
R/o H-22, Padmnabhpur,
Durg (MP).

...Applicant.

By Advocate Shri S.S. Tiwari.

Versus

Union of India,
through its Secretary,
Govt. of India,
M/o Human Resource Development,
Deptt. of Women's and Child Welfare,
Shastri Bhawan,
New Delhi.

... Respondent.

O R D E R (By Circulation)

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

This is a Review Application (RA 264/97) filed by the applicant praying for review and rehearing O.A.1188/92. It is alleged that there are number of errors apparent on the face of the record and hence the review application has been filed.

2. We have carefully considered the pleas taken in the review application. We note that the review applicant is aware of the limited scope and ambit of Order 47 Rule 1 CPC under which alone a review of a decision/order/judgement is permissible. In a recent

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judgement in Parsion Devi & Ors. Vs. Sumitri Devi & Ors. (JT 1997(8) SC 480), the Supreme Court has held as follows:

"Under Order 47 Rule 1 CPC a judgement may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self evidence and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47 Rule 1 CPC. In exercise of the jurisdiction under Order 47 Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and corrected". A review petition, it must be remembered has a limited purpose and cannot be allowed to be "an appeal in disguise".

However, to somehow bring this application within the four corners of Order 47 Rule 1 CPC, the review applicant has alleged that we have committed various errors in our judgement which are apparent on the face of the record. The impugned decision is a reasoned decision after hearing both the parties at a considerable length and we are of the view that what the applicant has alleged as errors are no errors at all, let alone ~~the~~ errors apparent on the face of the record so as to bring this RA within the scope of Order 47 Rule 1 CPC and in accordance with the law, as seen from the aforesaid judgement. It is evident that what the review applicant actually seeks is an appeal against the judgement but he cannot do so by filing the review application for this purpose. He is only reiterating the arguments which were advanced at the time of hearing the O.A.

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3. In the facts and circumstances of the case, we find no merit in this review application and it is accordingly dismissed.

R. K. Anooja
(R. K. Anooja)
Member (A)

SRD

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