

(19)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI
* * *

Date of Decision : 19.10.92

RA 321/92 in OA 785/92

Shri K.K. Kathuria & Ors. Vs. Union of India & Ors.

ORDER

The applicants have filed the Review Application against the judgement dt. 4.9.1992 by which the OA was dismissed as barred by limitation. In this Review Application, the applicants again want to raise certain arguments and also annexed a copy of the judgement of the Principal Bench in the case of Naresh Kumar & Ors. Vs. Union of India (OA 2014/90) decided on 31.5.1991. He has also filed a copy of the judgement in the case of R.S.Verma Vs. Union of India (OA 161/90) decided on 10.3.1992 and in OA 601/87 decided on 16.9.1992 by the Principal Bench. The learned counsel has also filed another copy of the judgement in OA 339/90 decided by the Jabalpur Bench on 25.8.1992. I have gone through the above judgements also which were not cited at the time of hearing. In any case, the case of the applicants has been considered in the light of the judgement of the Hon'ble Supreme Court in the case of Bhoop Singh Vs. Union of India, reported in 1992 (2) ATJ 153. This case has not been at all discussed in any of the authorities cited by the learned counsel for the applicants.

As provided by Section 22(3)(f) of the Act, the Tribunal possesses the same powers of review as are vested in a Civil Court while trying a civil suit. As per the

...2...

provisions of Order XLVII, Rule 1 of the Code of Civil Procedure, a decision/judgement/order can be reviewed :

- (i) if it suffers from an error apparent on the face of the record; or
- (ii) is liable to be reviewed on account of discovery of any new material or evidence which was not within the knowledge of the party or could not be produced by him at the time the judgement was made, despite due diligence; or
- (iii) for any other sufficient reason construed to mean "analogous reason".

In view of the above facts, there is no force in this Review Application and the same is dismissed.

J. P. Sharma

(J.P. SHARMA)
MEMBER (J)