

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH ALLAHABAD.

Allahabad this the 13th day of August 1997.

REVIEW APPLICATION NO. 86 OF 1997.
IN
ORIGINAL APPLICATION NO. 1330 OF 1993 .

CORAM : Hon'ble Dr. R.K. Saxena, J.M.

Hon'ble Mr. D.S. Baweja, A.M.

Vijai Prasad Kaul, S/o Shri Har Parsad Kaul,
R/o B/183 Avas Viksa Colony, Nandan-pura,
Jhansi.

..... Applicant.

(By Advocate Shri Arvind Kumar)

Versus

1. Union of India through the General Manager,
Central Railway, Bombay V.T.
2. Divisional Railway Manager,
Central Railway, Jhansi.

..... Respondents.

(By Advocate Shri A.K. Gaur)

ORDER

Hon'ble Mr. D.S. Baweja, A.M.

1. This Review application has been filed by the applicant in the Original application no. 1330 of 1993 seeking review of the order dated 21.3.1997 in this O.A.
2. The Review application has been filed on 14.7.1997. The application has been filed late with a prayer to condone delay in filing the same. We have carefully considered the grounds advanced to explain the delay. Keeping the same in view, the delay is condoned.

3. Coming to merits in the Review application, we have gone through the grounds raised based on which the applicant has sought the review of the order dated 21.3.1997. The power of review could be exercised when there is some mistake or error apparent on the fact of the record or on discovery of new and important fact or evidence which after due diligence was not within the knowledge of the person seeking review and could not be produced at the time of hearing. In the present case we are of the view that none of situations for seeking review are existing. The main thrust of the arguments of the applicant is that the Tribunal has failed to appreciate the facts of the case and misread the judgement in O.A. no. 646 of 1986 based on which the review applicant pleaded for the similar benefit. These pleas cannot be basis for seeking review. The Review application with these pleadings is an appeal in disguise. We cannot sit on appeal on our own judgement.

4. In the light of the above facts, we are unable to find any merit in the Review application and the same is dismissed accordingly. With no order as to costs.

Sd/-
MEMBER (A)

Sd/-
MEMBER (J)

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