

BY CIRCULATION

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDL. BENCH

ALLAHABAD

DATED: THIS THE DAY OF OCTOBER 1997

Coram : Hon'ble Mr. Justice B.C.Saksena VC
Hon'ble Mr. S. Das Gupta AM

REVIEW APPLICATION NO.95/97 IN O.A. NO.606/93

ORDER

By Hon'ble Mr. S. Das Gupta, AM

This application has been filed seeking review of the judgment and order dated 6.1.1997 by which the O.A. No.606/93 was dismissed.

2. In the aforesaid O.A., the applicant had challenged an order by which the penalty was imposed on the applicant by the Disciplinary authority and also Appellate order by which the penalty imposed was moderated. After a detailed consideration of various points raised in the O.A., the application was found to have no merit and was accordingly dismissed.

3. In the Review application, it has been stated that avaricious points which were raised by the learned counsel for the applicant during the course of arguments were not considered. In the first place, there is nothing on record to indicate what were the points raised by the learned counsel for the applicant. It is not that he has filed any written records of the arguments advanced. Secondly, non-consideration of any point raised during the course of arguments by itself/a valid ground for review of order already passed.

4. It is a settled law that a judgment and order already pronounced can be reviewed only if it is shown to suffer ^{from} error apparent on the face of the record or if any new fact is brought out which could not be brought out earlier, despite due diligence, which warrants readjudication of the matter.

5. In the review application, an attempt has been made to show that certain findings of this Tribunal are erroneous. We have carefully gone through the submissions. The alleged errors do not appear to be errors apparent on the face of the record. If conclusions are erroneous on merit, proper course of action to seek redressal is to file an appeal before a court of competent jurisdiction. What the Review applicant is seeking is a reappraisal of the facts and readjudication of the controversy and this ~~concentration~~ does not lie within the narrow compass of a review application.

6. In view of the foregoing, we find no merit in this application and the same is accordingly dismissed.

W.R.

B.C.

A.M.

V.C.

SOI