

RESERVED

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL : ALLD BENCH
ALLAHABAD

DATED: ALLD. ON THIS 16/4 DAY OF MARCH 1998.

CORAM HON. MR D S BAWEJA, MEMBER (A)

REVIEW APPLICATION NO.05/98

IN

ORIGINAL APPLICATION NO.821/96

Bipin Sharma Applicant.

(C/A Shri S K Dey and
Shri S K Mishra.)

Vs.

Union of India & Others Respondents.

ORDER

(By Hon'ble Mr D S Baweja, Member (A))

This review has been filed seeking review of the order dated 19.12.97 in O.A.No.821/96.

2. Hon'ble Supreme Court in the case of Aribam Tuleshwar Sharma Vs. Aribam Pishak Sharma, AIR 1979 SC 1047, have laid down situations calling for review of the order in para 3 as under :-

"..... But there are definitive limits to the exercise of the power of review. The power of review may be exercised on the discovery of new and important matter or evidence which after the exercise of due diligence was not within the knowledge of the person seeking the review or could not be produced by him at the time when the order was made; it may be exercised where some mistake or error apparent on the face of the record is found; it may also be exercised on any analogous ground. But it may not be exercised on the ground that the decision was erroneous on merits."

3. Keeping in view what is laid down by the Hon'ble Supreme Court above, I have carefully considered the grounds raised in the review application. The applicant has brought out that the document with regard to separate pool of quarter for TRD 'Construction' could not be brought on record earlier. Keeping in view what is held in the order, this fact is not very material as the merits of the O.A. have been gone into on several other considerations. None of the other grounds ^{& raised} given fall within the parameters laid down by the Hon'ble Supreme Court. In fact the applicant has stated that the cited judgement has been erroneously distinguished pointing that the decision is erroneous on merits. Appeal cannot be made in disguise through the Review application. I do not, therefore, find any grounds which call for review of the decision.

4. In the result of the above, there is no merit in the review application and the same is dismissed accordingly.

Snt/-

A.M.