

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABADS BENCH

THIS THE 9TH DAY OF JULY, 2001

Review Application No. 41 of 2001

in

Original Application No.324 of 1999

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

The Officer Incharge

Military Farm, Allahabad & ors ... Applicants

Vs.

Prem narain Serivaas & Ors

Respondents.

O R D E R

I have perused the review application and the order dated 2.2.2001 passed in OA No.324/99 which is subject matter of the review application. Hon'ble Supreme court in case of 'Ajit Kumar Rath Vs. State of Orissa and others^{2000 SCC (L&S) 192} has considered the scope of power of review available to the Tribunal u/s 22(3)(f) of A.T.Act 1985. In para 30 it has been said that the review cannot be claimed or asked merely for a fresh hearing or arguments or correction of an erroneous view taken earlier, i.e. to say, the power of review can be exercised only for correction of a patent error of law or fact which ~~spares~~ ^{exists} in the face without any elaborate argument needed for establishing it. It has also been held that the power of the review available to the Tribunal is same as has been given to a court u/s 114 read with Order 47, Rule 1 C.P.C. The power is not absolute and is hedged by restrictions indicated in Order 47.

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In my opinion, the applicant ^{making this review}
application has sought a rehearing of the whole matter
which is beyond the scope of the review.

The review application is accordingly rejected.


VICE CHAIRMAN

Dated: 9.7.2001

Uv/