

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

Allahabad this the 4th day of January 1995

Review Application no. 72/9 of 1994

In

Original Application no. 1229 of 1992.

Hon'ble Mr. T.L. Verma, Judicial Member.

1. Smt. Afsar Begum, w/o Late Sri Irshad Ali Khan (SBA) Town- Thirya Nazabat Khan, Distt. Bareilly.
2. Sri Munawwar Ali Khan, S/o Late Sri Irshad Ali Khan (SBA) Town - Thirya Nazabat Khan Distt. Bareilly.

... Applicants

C/A Sri R.C. Pathak

Versus

1. Union of India through the Secretary Ministry of Defence, South Block Govt. of India, New Delhi.
2. The Engineer-in-Chief, Engineer-in-Chief's Branch Army Headquarters Kashmir House, Raja Ji Marg, New Delhi.
3. The Chief Engineer, Central Command Lucknow. (U.P.)
4. The Chief Engineer, Bareilly Zone, Sarvatra Bhawan, Station Road, Bareilly Cantt. 244004.
5. The Commander Works Engineer (C.W.E) Station Road, Bareilly Cantt.
6. The Garrison Engineer, M.E.S. (Military Engineering Services) Bareilly Cantt.
7. The A.G.E. (Tech) C/o G.E. (MES) Bareilly Cantt.
8. The A.G.E. (EM) C/o G.E. (MES) Bareilly Cantt.
9. Sri Mohd. Israq Ali Khan (D.E.S), C/o G.E. (MES), Bareilly Cantt.

... Respondents

C/R Sri

ORDER

This Application has been filed for review of the order dated 12.07.94 passed in O.A. No. 1229 of 1992.

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2. It is well settled that power of review may be exercised;

i. 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.

ii. Where some mistake or error apparent on the face of the record is found and

iii. Any other analogous ground.

3. I have perused the review application and we find that the grounds taken for review suggest that the decision was erroneous on merit. The review provisions cannot be invoked to correct errors if any, committed in deciding the case on merit. The applicant has precisely done the same. It does not appear from the Review Application that new and important matter or evidence; which after exercise of due diligence was not within her knowledge or could not be produced at the time when the case was argued, has been discovered or that mistake or error apparent on the face of the record has been found justifying interference with the order in exercise of review jurisdiction.

4. In view of the above, we find no merit in this application and the same is dismissed.


Member-J

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