

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

RA No.87/2000 in OA No.443/1996

Allahabad, this 8th day of February, 2001

Hon'ble Mr. Justice R.R.K.Trivedi, VC
Hon'ble Mr. M.P. Singh, Member (Admn.)

Hridaya Narain Mishra .. Applicant
(By Shri S.Dwivedi, Advocate)

Versus

Union of India & Anr. .. Respondents

ORDER (in circulation)

Hon'ble Mr.Justice R.K.K. Trivedi

This application is filed on behalf of the applicant for review of our order and judgement dated 31.8.2000 by which his OA No.443/1996 claiming grant of officiating allowance to him for working as Deputy Chief Yard Master for the period from 4.9.1986 to 31.7.1991 was dismissed being devoid of merit and for the reasons discussed therein.

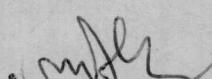
2. We have carefully gone through the averments made by the review applicant in support of his prayer for review of our order, but we are of the considered opinion that the review applicant is only trying to build up a case on the very same facts and grounds taken by him in the OA which have already been taken care of by us while deciding the case. Even now the applicant has not come with any valid order alleged to have been issued by the respondents, showing that he was promoted or appointed to the post of Deputy Chief Yard Master for the aforesaid period. Besides, even though the review applicant claims to have made representations to the respondents in 1992 and 1993

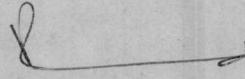
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repeated representations would not extend the period of cause of action, as has been held by the Hon'ble Supreme Court.

3. That apart, this Tribunal is not vested with the ~~or unlimited power~~ ^{right} of review of its own order. It can do so under order 47, Rule 1 CPC if it is satisfied that when (i) there is an error on the face of record; (ii) new piece of evidence has come to the knowledge of the review applicant in support of his case which could not be produced at the time of hearing of the case; or (iii) or for any other analogous reasons. We find none of these ingredients ~~is available~~ in the present RA which would warrant review of the case.

4. In view of the above position, the present RA is dismissed. ~~No costs.~~


(M.P. Singh)
Member(A)


(R.R.K. Trivedi)
Vice-Chairman

/gtw/