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**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD**

Review Application No.36 of 2008

IN

ORIGINAL APPLICATION NO.866 of 2006

Allahabad, this the 15th day of July, 2008

Hon'ble Mr. N.D. Dayal, Member-A

Union of India & Others.

...Applicants.

Versus

Sri Paras Nath

...Respondent.

O R D E R

This Review Application No. 36 of 2008 has been filed on 30.6.2008 with a prayer that the order passed by this Tribunal in O.A. no. 866 of 2006 on 28.5.2008 may be reviewed and the matter decided after giving an opportunity of hearing as well as for production of relevant documents. It is noticed that M.A. nos. 1024 of 2008 and 1025 of 2008 have also been filed seeking condonation of delay and stay of the effect and operation of the order dated 28.5.2008 respectively.

2. In the Review Application grant of temporary status to the applicant, his screening, qualifying service etc. have been discussed alongwith the concerned dates. It is further stated that certain period needs to be reduced in terms of Leave account as per Rules. Apparently, these averments are made on the basis of documents and Rules, copies of which appear to have been annexed/reproduced in the Review Application.

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3. A Review Application is not meant to re-argue the case. There should be either an error or mistake apparent on the face of the record or it should be a case where there is a matter, which could not be brought to the notice during hearing even with due diligence. It could also be for other sufficient reasons, which would have to be analogous thereto. The error apparent is not one that has to be arrived at by extending^{ed} argument, calculations and examination of the documents.

4. A perusal of Rule 31 of CAT (Rules of Practice) 1993 would show that a case is deemed to be ready for hearing even if Counter is not filed within the time granted, but whereas in the present case it had been filed and even Rejoinder had been submitted by the applicant. As such, if records were necessary for any purpose, the respondents could have made them available to their counsel.

5. It is not the case of the respondents that Rules/Regulations/documents now relied upon were not available to them earlier. Order has been passed on merits after going through the pleadings and hearing the counsel for both sides in Court.

6. In view of the above, I am not inclined to accede to the prayer in the Review Application, which is dismissed alongwith M.A. no. 1025 of 2008. M.A. no. 1024 of 2008 for condoning the delay is returned as it was not required to be filed, certified copy of the order passed in O.A. having been issued on 3.6.2008.

7. There shall be no order as to costs.


MEMBER-A

GIRISH/-