

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI

REVIEW PETITION NO.31/2002  
IN  
ORIGINAL APPLICATION 1137/1996

Shri Nriteshwar Nath Sinha  
Senior Storekeeper  
Ordnance Depot,  
Telegaon Dabhade  
Pin Code - 410 506.

...Applicant

( By Advocate Shri J.M. Tanpure )

v/s

Union of India and ors.

...Respondents

TRIBUNAL'S ORDER :

DATE : 30.12.2002

The applicant in O.A.1137/96 has filed this review petition in respect of an order passed by this Tribunal dated 8th April, 2001 by which the O.A. has been dismissed.

On perusal of the grounds raised in the review petition we find that the applicant intends to place Ex.A-2 "Form of confidential in respect of Lower Division Clerks/Upper Division Clerks/Store Keepers/Sr. Store Keepers and equivalent category in AOC" for the year 2000 period from 31st April, 99 to 31st March, 2000. Other grounds which are raised relates to appreciation and applicability of the documents placed on record.

Ex.A-2 which is sought to be placed on record is not a complete document, only one page of the document is sought to be placed on record, while the document is of more than one page which is apparent on the page by an endorsement "continued".

30/12/02

Contd..2.

Further no reason is put forth for not placing the document on record earlier when the O.A. was decided. Order 47 rule 1 applies when "discovery of new and important matter or evidence" is there which after exercise of due diligence was not within his knowledge or could not be produced earlier. Such allegations and facts are not available in the present case. As such we are of the considered view that on this ground the review petition does not lie.

A review can not be claimed or asked merely for a fresh hearing of arguments or correction of an erroneous view taken earlier that is to say, the power of review can be exercised only for correction of a patent error of law or fact which shares in the face without any elaborate argument being needed for establishing it. Any attempt, except an attempt to correct an apparent error or an attempt not based on any ground set out in order 47, would amount to an abuse of the liberty given to the Tribunal under the Act to review it's judgment (2000(2)A 1 SLJ 108 Ajit Kumar Rath Vs. State of Orissa & others).

In the result, we do not find any ground to review the order passed by this Tribunal on 8.4.2001. As such review petition is liable to be dismissed and is dismissed accordingly.

(GOVINDAN S. TAMPI)  
MEMBER (A)

(S. L. JAIN)  
MEMBER (J)