

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
BANGALORE

DATED THIS THE FOURTEENTH DAY OF JUNE, 1993

Present: Hon'ble Shri S. Gurusankaran, Member(A)

Hon'ble Shri A.N. Vujjanaradhya, Member(J)

REVIEW
APPLICATION NO. 21/1993

Shri V.R. Nair
Chief Commissioner of Income Tax
Central Revenue Building
Queen's Road, Bangalore-560 001 Applicant

Vs.

Shri P.K. Lahiri
Secretary
Deptt. of Revenue
M/O. Finance
New Delhi. Respondent

(Shri M.S. Padmarajaiah, S.C.G.S.C.)

This Review Application having come up for
hearing before the Tribunal today, Hon'ble Shri S. Gurusankaran,
Member(A), made the following:

O R D E R

This review application has been filed by the
review applicant, who was the applicant in C.P.55/1992.
C.P. 55/1992 came to be disposed of by this Bench vide order
dated 26.2.1993.

2. We have heard Shri Nair, on the question of
admission of this review application. The main submission
of the review applicant is that he is not well conversant
with the law and he is only praying for the proper implementa-
tion of the orders passed by this Tribunal itself.
He stressed the fact that the respondents themselves have
admitted that they have not carried out the orders and

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hence they have committed the mischief of contempt. Shri Nair also submitted that he filed C.P. 55/1992 not against the wilful disobedience of the respondents in complying with the directions of the Madras Bench of this Tribunal in disposing of C.P. 21/1990, but against the implementation of the orders of the Madras Bench of this Tribunal in T.A.248/1987.

3. We are unable to agree with the submissions of the review applicant. C.P. 21/1990 filed against the non-implementation of T.A.248/1987 was already disposed of by the Madras Bench giving certain directions. The further C.P., i.e., C.P.55/1992 filed by the applicant originally in the Madras Bench was heard and subsequently transferred to this Bench at the request of the applicant, since he had been transferred to Bangalore in the meantime. This was disposed of vide order dated 26.2.1993 as already indicated above. The scope of review application is very limited and can be admitted only if there are errors apparent on the face of the record or the applicant has produced any new evidence, which after the exercise of due diligence he could not produce earlier before the disposal of the application or for any other similar grounds. In our opinion, the applicant has not made out any of the above grounds for reviewing our judgement dated 26.2.1993. As pointed out by the Supreme Court in the case of Thungabhadra Industries Limited Vs. Government of Andhra Pradesh reported in 1964 (5) SCR 174 a review is by no means an appeal in disguise whereby an erroneous decision is rehard and corrected, but lies only for patent error.

4. In view of the above, we find no merit in this review application and the review application is accordingly dismissed at the admission stage itself.

A.N. Vujjanaradhy
14/6/93
(A.N. VUJJANARADHY)
MEMBER(J)

S. Gurusankaran
14/6/93
(S. GURUSANKARAN)
MEMBER(A)