

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

(V8)

R.P.No. 63/94

in

O.A.No.798/93

Shri V.S. Shrivastav

... Applicant

v/s.

Ministry of Labour

... Respondent

Tribunal's order on Review Petition No. 63/94.

Dated:

This review petition No. 63/94 has been filed seeking review of the order dated 20.4.1994 in O.A. No. 798/93. I have carefully considered the review petition alongwith the annexures.

2. The applicant has urged review of the judgment on the grounds that the impugned transfer order is illegal as it is not in public interest and that the Respondents have concealed material information and deliberately twisted facts. According to the applicant, sanction for the post of Deputy Director (Staff Training) under the Plan proposals including the post at Regional Labour Institute, Calcutta stand terminated with effect from 1.3.1993, which allegation has, however, not been substantiated by any documentary evidence. The other grounds taken by the applicant are that there was no public interest involved in transfer of the officer, Shri Raja Ram, from Calcutta

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to Bombay necessitating the applicant's transfer to Calcutta. He has also referred to the various documents annexed to the O.A. to substantiate his contention that the submissions made by the Respondents are false and mala fide making the transfer order illegal and calling for a re-appraisal of the evidence.

3. The review petition does not refer to any error apparent on the face of the record of the order or refer to any other grounds on which the order can be reviewed. The Supreme Court had held in *Chandra Kanta v/s. Sheikh Habib* (AIR 1975 SC 1500) that "once an order has been passed by the court, review thereof must be subject to the rules of the game and cannot be lightly entertained. Review of a judgment is a serious step and reluctant resort to it is proper only when a glaring omission or patent mistake or grave error has crept in earlier by judicial fallibility."

4. Having regard to the settled principles on which a review petition may be allowed, this petition does not disclose any error apparent on the face of

18

the record or other grounds including any new facts warranting review of the judgment. The grounds taken in this review petition do not justify review of the order. Accordingly, the review petition is dismissed.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (Judicial)