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CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Review Petition No. 110/95 in
Original Application No. 942/94

V.D.Kharat and 10 others. ... Applicants.

V/s.

Union of India and 3 others. ... Respondents.

CORAM : Hon'ble Shri B.S. Hegde, Member (J)

Tribunal's order on Review Petition by Circulation.

Dated: 6.11.95

This Review Petition has been filed by the applicant seeking review of the judgement dated 28.7.95 in O.A. 942/94.

2. I have seen the Review Petition and I am satisfied that the review petition can be disposed of by circulation under Rule 17(iii) of the CAT(Procedure) Rules, 1987 and I proceed to do so.

3. The main contention in the review petition is that the observations made in the judgement is totally unteanable and misconceived as the circumstances of the attempts of breaking the union and the allegation of malafide supported by facts .

4. In so far as the Review Petition is concerned the scope of the review application is very limited and the review application is maintainable only if there is an error apparent on the face of the record or some new evidence has come to the notice which was not available even after exercise of due diligence or any other sufficient reason. The review Petition cannot be utilised for rearguing the case traversing the same ground again.


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5. On perusal of the Review Petition makes it clear that none of the ingredients referred to above, have been made out to warrant a review of the aforesaid judgement. The points raised in the review petition are not germane issue ^{to be} decided by the Tribunal and no new facts have been brought to my notice calling the review of the judgement.

6. In the circumstances, I am of the opinion, that neither an error on the face of the record has been pointed out nor any new facts have been brought to my notice calling for the review of the judgement, keeping in view of the provisions of the order 47 Rule 1 read with section 115 of the CPC, the grounds raised in the review application are more germane for an appeal against the judgement and not for review of the judgement. The review petition is therefore, dismissed.


(B.S. Hegde)
Member (J)

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