

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 10.10.95.

PA 62/94 with MA 427/94 (OA 27/88)

Bal Kishan Mittal

... APPLICANT.

VERSUS

Union of India and another

... RESPONDENTS.

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR. O.P. SHAFMA, MEMBER (A)

For the Applicant ... Mr. D.P. Garg

For the Respondents ... —

O R D E R

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Bal Kishan Mittal, has filed this Review Application under Rule 17 of the Central Administrative Tribunal (Procedure) Rules, 1987, praying for a review of the decision rendered in OA 27/88 on 17.5.94 mainly on the ground that the Tribunal while deciding the aforesaid OA felt that the applicant had managed to obtain the order dated 9.6.92 (Annexure A-14 in the OA) of his promotion during its pendency and consequently the relief of wages from 18.6.87 to 31.12.91, i.e. the date of superannuation, was wrongly and erroneously refused.

2. We have heard the learned counsel for the applicant. None is present for the respondents.

3. The impugned decision has been assailed on merits. The power of review may not be exercised on the ground that the decision is erroneous on merits. It can be exercised only if there has been an error apparent on the face of record or some new and important matter has been brought-forth by the applicant which could not be produced by him despite due diligence at the time of final hearing of the case or it could be exercised on any other ground analogous thereto. The grounds stated in this Review Application are not covered by the provisions contained in Order XLVII Rule 1 of the Code of Civil Procedure. This Review Application is unmerited. It is, therefore, dismissed.

4. Since the Review Application has been dismissed on merits today by a separate order, MA 427/94 praying for condonation of delay in filing the

CKMhN

.....2.

Review Application has become infructuous and it is dismissed accordingly.

(O.P. SHAFMA)
MEMBER (A)

Gopal Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

VK