

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

R.A. No. 193/2004

IN

O.A. 397/2003

NEW DELHI THIS 04<sup>th</sup> DAY OF August ~~July~~ 2004

HON'BLE SHRI JUSTICE V.S. AGGARWAL, CHAIRMAN  
HON'BLE SHRI S.A. SINGH, MEMBER (A)

Jeetandra Kumar & Ors. ....Review Applicant

VERSUS

Government of NCT of Delhi & Others: .....Respondents

O R D E R (IN CIRCULATION)

BY HON'BLE SHRI S.A. SINGH, MEMBER (A)

The present R.A. No.193/2004 has been filed by the applicant for review of the order passed in OA No. 397/2003 on 22.3.2004.

2. The Review Applicants state that in para 2 of the order of the Tribunal an error has crept in wherein it has been mentioned that four applicants were called for physical endurance test and physical measurement whereas all the five applicants were called for the test. We find that this is an error <sup>apparent - 2</sup> on the face of the record and the word 'four' in para 2 should be read as 'five'. However, this does not make any material difference because from the total reading of the order it is clear that it refers to five applicants.

3. Further, the Review applicants contend that the judgement was reserved on 19.12.2003 and the applicants did not have opportunity of arguing the matter through their counsel in the open court on the additional affidavit and other documents filed by the respondents, which has created confusion and serious error of facts and

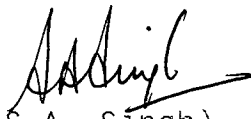
*de*



law have crept in the order dated 22.3.2004. Moreover, the review applicants have reiterated that the respondents have not considered the certificates of Applicant No.1 as a sportsman whereas Applicant No. 2 was considered on the basis of similar certificates. Review applicants through this RA prayed for a alteration, modification and reverse of the judgement dated 22.3.2004 in OA No. 397/2003.

4. The additional information made available through additional affidavit by the respondents was also made available to the applicants. The applicants have placed their reply to the additional affidavit in the form of rejoinder to the supplementary affidavit. Hence their averments that they did not have opportunity of arguing the matter is not valid.

5. The Review applicants through this RA are trying to re-argue the matter which is not permissible. There is no error apparent on the face of the record (except for the word 'four' in para 2 which has been corrected to read as 'five'), which may call for alteration/modification of the order. Further, the RA does not come within the ambit of order 47 Rule 1 CPC read with Rule 22(3) (f) (i) of the Administrative Tribunals Act. In view of the above, nothing survives in the RA, which is accordingly dismissed in circulation.

  
(S.A. Singh)  
Member (A)

  
(V.S. Aggarwal)  
Chairman

Patwal/