

Central Administrative Tribunal, Principal Bench

R.A. No. 183/2006 In
O.A. No. 1315/1999

New Delhi this the 22nd day of November, 2006

Hon'ble Mr. Justice M.A. Khan, Vice Chairman (J)
Hon'ble Mr. V.K. Agnihotri, Member (A)

Shri Anil Kumar Bhambri
S/o Shri S.P. Bhambri
Employed as Sorting Assistant Gol Dak-khana under
New Delhi Sorting Division,
Resident of New Delhi,
Address for service of notices,
C/o Sh. Sant Lal, Advocate
C-21 (B) New Multan Nagar,
Delhi-110 056.

.....Review Applicant

By Advocate: Shri Sant Lal.

Versus

1. Union of India through the Secretary,
Ministry of Communications,
Department of Posts,
Dak Bhawan,
New Delhi-110 001.
2. The Director Postal Services (R),
Delhi Postal Circle,
Meghdoot Bhawan,
New Delhi-110 001.
3. The Senior Superintendent,
New Delhi Sorting Division,
Meghdoot Bhawan,
New Delhi-110 001.

..Respondents

ORDER BY CIRCULATION

By Hon'ble Mr. Justice M.A. Khan, Vice Chairman (J)

The present RA has been filed by the review applicant seeking review of our order dated 26.9.2006 passed in OA 1315 of 2006.


2. We have perused the relevant record and order dated 26.9.2006 and do not find any mistake or error apparent on the face of the record or there is discovery of new and important material and evidence which was not in the knowledge or could not be produced by the review applicant even after exercise of the due diligence when the matter was decided. If the review applicant is not satisfied with the order passed by the

Tribunal, remedy lies elsewhere. The Apex Court in Union of India Vs. Tarit Ranjan

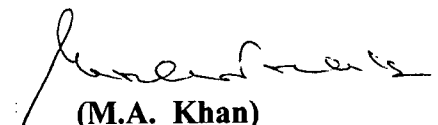
Das, 2004 SCC (L&S) 160 observed as under:-

“13. The Tribunal passed the impugned order by reviewing the earlier order. A bare reading of the two orders shows that the order in review application was in complete variation and disregard of the earlier order and the strong as well as sound reasons contained therein whereby the original application was rejected. The scope for review is rather limited and it is not permissible for the forum hearing the review application to act as an appellate authority in respect of the original order by a fresh order and rehearing of the matter to facilitate a change of opinion on merits. The Tribunal seems to have transgressed its jurisdiction in dealing with the review petition as if it was hearing an original application. This aspect has also not been noticed by the High Court”.

3. Having regard to the above, RA is dismissed.


(V.K. Agnihotri)
Member (A)

Rakesh


(M.A. Khan)
Vice Chairman (J)