

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI.

RA 116/99 in  
OA 854/98

WV

New Delhi this the 1st day of June, 1999.

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

In the matter of

Mohinder Singh Parasher,  
Sub Inspector (Min.) No.D/449  
Arrangement Branch Now Ch. Roll  
Branch (Central Distt. Delhi)  
R/O H.No.1119, Timarpur, Delhi.

..Review Applicant

Versus

1. Union of India through  
Lt. Governor of Delhi  
through Commissioner of Police,  
Delhi PHQ, I.P. Estate, New Delhi-2
2. Addl. Commissioner of Police,  
Northern Range, Delhi.
3. Deputy Commissioner of Police,  
Central Distt., Delhi.
4. DCP, HQ-1,  
PHQ, I.P. Estate, New Delhi.

..Respondents

O R D E R (BY CIRCULATION)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

I have carefully considered the submissions made in the Review Application by the applicant who has prayed that the impugned order dated 15.3.1999 be reviewed and the OA 854/98 may be allowed. The impugned order is a detailed and reasoned one, delivered after hearing both the parties and perusing the records. The applicant has tried to re-argue his case in the Review application to substantiate his assertion that there is an error apparent on the face of the record which needs to be corrected. In the garb of a review application what the applicant actually seeks is an appeal against the impugned order, which he cannot do. The instrumentality of a review application cannot be used as an appeal in disguise as held by the Supreme Court in a catena of judgements (See

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Thungabhadra Industries Ltd Vs. Govt. of Andhra Pradesh (AIR 1964 SC 1372) ; A.T. Sharma Vs. A.P. Sharma (AIR 1974 SC 1047); Chandra Kanta Vs. Sheikh Habib (AIR 1975 SC 1500) and Smt. Meera Bhanja Vs. N.K. Choudhary (JT 1994(7) SC 536) that repeated old and overruled arguments are not sufficient to allow the R.A.

2. Having regard to the provisions of Order, 47, Rule 1 CPC read with Section 22(3)(f) of the Administrative Tribunals Act, 1985, I am unable to agree with the contention of the Review applicant.

4. For the reasons given above, RA 116/99 in OA 854/98 is rejected.

*Lakshmi Swaminathan*  
(Smt. Lakshmi Swaminathan)  
Member (J)

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