

Central Administrative Tribunal
Principal Bench

RA 229/97
in
O.A. 745/94

(X)

New Delhi this the 5th day of January, 1998

Hon'ble Smt. Lakshmi Swaminathan, Member (J).
Hon'ble Shri K. Muthukumar, Member (A).

B.K. Behl ... Applicant.

Versus

Union of India through
Secretary,
Department of Statistics,
Ministry of Planning,
Sardar Patel Bhawan,
New Delhi. ... Respondent.

O R D E R (By circulation)

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

We have carefully perused the Review Application seeking review of our order dated 31.1.1997 in O.A. 745/94. It is seen that the applicant has tried to reargue the whole case laying stress on the judgements which he thinks are relevant to the issue and which he has argued had not been adequately noticed by the Tribunal in the impugned order dated 31.1.1997. He has also referred to the earlier arguments urged on his behalf which he has stated have not been taken into account by the Tribunal and for these reasons he has prayed that the O.A. may be reconsidered so that the relief may be granted to him or alternatively to place the matter before a Full Bench.

2. It is settled law that in a Review Application, the same cannot be considered as if it is an ^{inter alia, B} appeal and the R.A. lies ^{only} if there are errors apparent on the face of the record so as to bring it within the ambit and scope of Order 47 Rule 1 CPC read with Rule

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17(iii) of the CAT (Procedure) Rules, 1987 framed under Section 22(2)(f) of the Administrative Tribunals Act, 1985.

The impugned judgement is an oral judgement delivered after hearing both the parties and we find no errors, leave alone errors apparent on the face of the record to allow this Review Application. What the applicant is alleging is that the reasoning in the judgement is erroneous and, therefore, it should be reversed, but that cannot be done under this application. The Supreme Court in a catena of judgements has held that the review proceedings have to be strictly confined to the ambit and scope of Order 47 Rule 1 CPC and it is not an appeal. (See **Parson Devi & Ors. Vs. Sumitri Devi & Ors.** (JT 1997(8) SC 480), **Thungabhadra Industries Ltd. Vs. Govt. of Andhra Pradesh** (AIR 1964 SC 1372) and **Chandra Kanta Vs. Sheikh Habib** (AIR 1975 SC 1500).

3. For the reasons given above, we find no merit in this Review Application. The same is accordingly dismissed.@@


(K. Muthukumar)
Member (A)

SRD


(Smt. Lakshmi Swaminathan)
Member (J)