

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Review Application No.145 of 1998
(in O.A. No.1290 of 1997)

New Delhi, this the 10th day of August, 1998

M.M.L.Gupta, S-41, Vijay Vihar Uttam
Nagar, N.Delhi-110059

-APPLICANT

(31)

Versus

Union of India through Comptroller
& Auditor General of India and
others

-RESPONDENTS

O R D E R (in circulation)

This review application was filed on 11.6.1998 seeking a review of the order dated 28.4.1998 (copy received by the applicant on 15.5.1998) passed in O.A.1290 of 1997.

2. I have carefully considered the submissions made in the R.A. and consulted the record. I find that there is no mistake apparent on the face of record and the claims made out are merely arguments on merits which do not entitle the applicant for a review. The Hon'ble Supreme Court in the case of K.Ajit Babu and others Vs. Union of India and others, JT 1997(7) SC 24 has held that "the right of review is not a right of appeal where all questions decided are open to challenge. The right of review is possible only on limited grounds mentioned in Order 47 of the Code of Civil Procedure. Otherwise there being no limitation on the power of review it would be an appeal and there would be no certainty of finality of a decision". This review application amounts to only rearguing what has been stated in the

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O.A. Therefore, this review application is not maintainable and is dismissed at the circulation stage itself.

(32)

S. Sahu
(N. Sahu)
Member (Admnv)

rkv.