

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Review Application No. 55 of 1998
(in O.A. No.816 of 1997)

New Delhi, this the 12th day of August, 1998

Sube Lal S/o Shri Bhalloo, Railway
Gangman, Qtr No.24/50 GH, Railway
Colony, Baghat Road, Distt.Meerut.

-APPLICANT

Versus

Union of India : through

1. The General Manager, Northern Railway, Baroda House, New Delhi.
2. Asstt./ Engineer, Northern Railway, Shamli, Distt: Muzaffarnagar.
3. The D.S.C.(Authority under unlawful public property act) service through Divisional Railway Manager, Paharganj, New Delhi.

-RESPONDENTS

O R D E R (in circulation)

This review application was filed on 10.3.1998 seeking a review of the order dated 17.2.1998 passed in O.A. 816 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

[Signature]

amounts to only rearguing what has been stated in the O.A. In the case of Meera Bhanja (Smt.) Vs. Nirmala Kumari Choudhury, (1995)1 SCC 170 their Lordships have held that the review must be confined to error apparent on the face of record. Therefore, this review application is not maintainable and is dismissed at the circulation stage itself.

Narasimhaswamy
(N. Sahu)
Member (Adminv)

rkv.