

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, Baghpat 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: Mužaffarnagar.

3. The D.S.C. (Authority under unlawful  
public property act) service  
through Divisional Railway Manager,  
Paharganj, New Delhi. -RESPONDENTS

ORDER (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

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.

*Kanashankar*  
(N. Sahu).  
Member (Admnv)

rkv.