

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

R.A. No. 68 of 1999 In  
O.A. No. 2639 of 1997

New Delhi this the 6<sup>th</sup> day of April, 1999

HON'BLE MR. JUSTICE K.M. AGARWAL, CHAIRMAN  
HON'BLE MR. K. MUTUKUMAR, MEMBER (A)

Shri Harish Chander  
S/O Shri Banwari Lal  
R/o Village Asanda  
P.O. Sapla  
District Rohtak.

..Applicant

Versus

Union of India through

1. Secretary to G/I  
Department of Animal Husbandry &  
Dairying (Ministry of Agriculture),  
Krishi Bhawan,  
New Delhi-110 001.

2. General Manager,  
Delhi Milk Scheme,  
West Patel Nagar,  
Delhi-110 008. .... Respondents

ORDER BY CIRCULATION

Hon'ble Mr. K. Muthukumar, Member (A)

The applicant herein seeks to have the order passed in OA 2639 of 1997 reviewed on the ground that the Tribunal has not examined the matter in proper prospective and the respondents have misled the Tribunal.

2. If the applicant is not satisfied with the judgment in the aforesaid OA, the remedy does not lie in a Review Application. There is no apparent error or omission on the face of the record warranting a review under Order 47 Rule 1 CPC. Applicant cannot seek to reagitate his case in a Review Application. In our order we have noted that the disciplinary enquiry had not been vitiating and the applicant had fully participated in

the enquiry through the defence assistant who had also argued in his case and was given full opportunity to cross examine the witnesses also. The Tribunal cannot reappraise the evidence. In the light of this, the Review Application is not maintainable and is accordingly rejected.

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(K.M. AGGARWAL)  
CHAIRMAN

*Jyoti*  
(K. MUTHUKUMAR)  
MEMBER (A)

Rakesh