

Central Administrative Tribunal
Principal Bench

...

RA 149/97
in
OA 679/95

6/7

New Delhi this the 12th day of June, 1997

Hon'ble Shri S.R. Adige, Member(A).
Hon'ble Smt. Lakshmi Swaminathan, Member(J).

All India C.P.W.D. S/C & S/T Association,
Room No. 109-B 'B' Wing, 1st Floor,
I.P. Bhawan,
New Delhi. through Shri Siri Ram & Jaswant Singh. ...Applicants.

By Advocate Shri P.L. Mimroth

Versus

1. Union of India through
Secretary,
Ministry of Personnel, Public
Grievances and Pension,
Department of Personnel & Training,
New Delhi.
2. The Secretary,
Ministry of Urban Development,
Nirman Bhawan,
New Delhi.
3. The Director General (Works),
Central Public Works Department,
Nirman Bhawan,
New Delhi.

... Respondents.

O R D E R (By circulation)

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

The applicants in O.A. 679/95 have filed this Review Application (RA 149/97) seeking review of the order dated 8.4.1997. In para 4 of the Review Application, the grounds have been enumerated in which it has been stated that the Tribunal arrived at a wrong conclusion, the findings are erroneous and not based on the factual position and that there has been no adjudication of the main grievance of the applicants relating to non-maintenance of roster register in the matter of promotion to the post of Assistant Engineers.

(29)

2. The above allegations in the Review Application make it clear that what the applicants are attempting to do is to reagitate the matter as if it is an appeal. We are, therefore, of the view that under the provisions of Section 22(3)(f) of the Administrative Tribunals Act, 1985 read with the provisions of Order 47 Rule 1 CPC under which alone the review can lie, since there has been no error apparent on the face of the record or any other ground on which the review lies, this Review Application is not maintainable. If the Review-applicants are aggrieved by the judgement, it is open to them to file an appeal in accordance with the law in the appropriate forum but they cannot use the instrumentality of a Review Application for this purpose.

3. For the reasons given above, this Review Application is dismissed.

Lakshmi Swaminathan
12/6
(Smt. Lakshmi Swaminathan)
Member(J)

Adige
(S.R. Adige)
Member(A)

'SRD'