

(18)

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

R.A.No.98 of 2005
IN
O.A. No.1632 of 2005

New Delhi, this the 24th day of May, 2005

HON'BLE SHRI M.K. MISRA, MEMBER (A)

V.K. Naithani,
S/o Shri Naithani,
Aged about 53,
Resident of 52-B, KJ Apartments,
Sector-53, NOIDA

And employed as
Assistant Director
Aviation Research Centre,
Block V (East),
R.K. Puram, New Delhi.

....Applicant

Versus

1. The Cabinet Secretary,
Rashtrapati Bhavan,
New Delhi.
2. The Director General (Security)
Aviation Research Centre,
Block V, East, R.K. Puram,
New Delhi.
3. The Special Secretary,
Aviation Research Centre,
Block V, East, R.K. Puram,
New Delhi.

....Respondents.

ORDER (BY CIRCULATION)

This Review Application No.98/2005 in OA No.1632/2005 has been filed by the applicant with the following prayer:-

“In view of the facts and peculiar circumstances of the case, it is most respectfully prayed that this Hon'ble Tribunal be graciously pleased to review the order dated 16.2.2005 passed in O.A. No.1632 of 2005 and may graciously grant relief as prayed in the MA No.1422/2004 filed after filing of OA praying for amending the reliefs.

(M.K.)

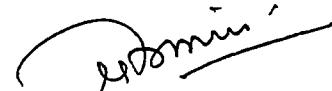
17

May also pass any further appropriate order or orders, as be deemed just and proper to meet the ends of justice."

2. The order of the Tribunal in the above OA was received by the review applicant on 28.2.2005 and the Review Application has been filed on 15.4.2005. This Review Application has been filed belatedly and for the purpose of condonation of delay in filing the present Review Application, Miscellaneous Application No.814/2005 has been filed. For the reasons given therein, the delay is condoned.

3. I have carefully gone through the Review Application, but I do not find that there is any error apparent on the face of record in the order dated 16.2.2005. The Review Application is only containing the averments made in the OA itself. The Apex Court in the case of Union of India Vs. Tarit Ranjan Das, 2004 (1) SCSLJ 47, held that the scope of review is very limited under Section 22 (3) (f) of the Administrative Tribunals Act, 1985 and it is not permissible for the forum, hearing the review application, to act as an appellate authority in respect of the original order by a fresh rehearing of the matter to facilitate the change of opinion on merits.

4. In view of the above, I am satisfied that this Tribunal will not act as an appellate Court for the purpose of review of its own judgment particularly when there is no error apparent on the face of record in the order dated 16.2.2005. Accordingly, Review Application is rejected by circulation in view of the provisions of the Order 47 Rule 1 CPC read with Section 22 (3) (f) of the Central Administrative Tribunals Act, 1985.



(M.K. MISRA)
MEMBER (A)