RA-101/2006 in
OA-2809/2004

New Delhi this the 17th day of July, 2006.

Hon'ble Mr. Shanker Raju, Member(J)
Hon'ble Mrs. Chitra Chopra, Member(A)

Shri Ajay Pratap Singh   ....   Applicant

Versus

Union of India & Others   ....   Respondents

ORDER(BY CIRCULATION)
Hon'ble Mrs. Chitra Chopra, Member(A)

This R.A. is directed against an order passed in OA No. 2809/2004 on 01.05.2006 dismissing the O.A.

2.   We have perused the grounds taken in the Review Application but we find no error apparent on the face of record. By this Review Application, the applicant is only trying to re-argue the whole matter as if it is an appeal.

3.   The only scope of review is laid down under Section 22(3)(f) of the Administrative Tribunals Act, 1985 read with Order XLVII Rule (1) of CPC is when there is an error apparent on the face of record or discovery of new and important material which was not available to the review applicant even after exercise of due diligence. The Apex Court in **Union of India Vs. Tarit Ranjan Das (2004 SCC (L&S) 160)** observed as under:-

> "13.   The Tribunal passed the impugned order by reviewing the earlier order. A bare reading of the two orders shows that the order in review application was in complete variation and disregard of the earlier order and the strong as well as sound reasons contained therein whereby the original application was rejected. The scope for review is rather limited

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 order and hearing of the matter to facilitate a change of opinion on merits. The Tribunal seems to have transgressed its jurisdiction in dealing with the review petition as if it was hearing an original application. This aspect has also not been noticed by the High Court."

4.   Having regard to the above, RA is dismissed, in circulation.

(Chitra Chopra)   (Shanker Raju)
Member(A)   Member(J)

/vv/