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**Central Administrative Tribunal
Principal Bench**

R.A.No.126/2005 in O.A.No.322/2004

New Delhi, this the 6th day of July 2005

Hon'ble Shri Shanker Raju, Member (J)
Hon'ble Shri S.K. Naik, Member (A)

1. Union of India
through its Secretary
Ministry of Communication & IT
Department of Post
Govt. of India, New Delhi
2. The Senior Superintendent of Post Offices
Agra Division, Agra (UP)

...Review Applicants

Versus

Shri P.N. Sharma
S/o Shri V.N. Sharma
Retired Deputy Post Master
Agra-I
R/o H.No.151, Mahavir Nagar
Bhuteshwar, Mathura (UP)

...Respondent

ORDER (in circulation)

Shri S.K. Naik:

The present RA has been filed by the respondents in the OA, i.e., Union of India seeking a review of our order dated 20.4.2005 passed in the said OA. A careful perusal of the grounds advanced for a review of the order reveals that the present review applicants have stated the same grounds, which had already been taken in their reply in the OA. They have not specifically pointed the apparent error to warrant a fresh review. If the ground advanced now is taken into consideration, it will amount to a re-hearing and fresh adjudication of the matter, which is not permissible under law. The scope for review is very limited. It is not permissible for the forum hearing the review application to act as an appellate authority in respect of the original order. If the review applicants are not satisfied with the order passed by the Tribunal, remedy lies elsewhere. 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 rehearing 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".

2. We are, therefore, of the view that the RA does not come within the ambit of Order 47 Rule 1 of CPC read with Rule 22 (3) (f) (i) of Administrative Tribunals Act, 1985.

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

S. K. Naik
(S. K. Naik)
Member (A)

/sunil/

S. Raju
(Shanker Raju)
Member (J)
6/7/05