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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

R.A. NO. 171/2008
IN
O.A. NO.814/2004

New Delhi, this the 26th day of November, 2008

HON'BLE MR. SHANKER RAJU, MEMBER (J)
HON'BLE DR. VEENA CHHOTRAY, MEMBER (A)

Shri Ramesh Lal Kanda,
@ Ramesh Lal,
Ex. Sr. Technician, TEC
R/o A-4/C-40,
Janakpuri,
New Delhi – 110 058

...Applicant

Versus

1. Union of India,
Through Secretary,
Department of Telecommunication,
Sanchar Bhawan, New Delhi
2. Chairman,
Department of Telecommunication,
Sanchar Bhawan, New Delhi
3. Additional Director General (Admn)
Department of Telecommunication,
Sanchar Bhawan,
New Delhi

...Respondents

O R D E R (In Circulation)

By Dr. Veena Chhotray, Member (A):

The present Review Application has been filed against the Tribunal's Order dated 28.8.2008, reconsidering the matter under an order of remand by Hon'ble Delhi High Court in Writ Petition (Civil) No.11244-46 of 2006 vide its order dated 28.11.2007. The Hon'ble Delhi High Court set aside the Tribunal's order dated 25.10.2005 and remanded the case for reconsideration in the light of its observations.

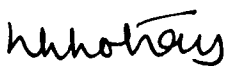
Dr

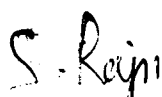
On detailed consideration of the case in the light of the observations of the Hon'ble High Court, the OA has been disallowed.

2. The present RA seeks to recall and review the Order dated 28.8.2008 on the basis of various contentions to reinforce the prayer of the applicant. However, we find nothing there which is a patent error on the face of it. It is trite that a review is not an appeal in disguise.

3. The findings which have been recorded in the order dated 28.8.2008 do not suffer from any mistake, much less a glaring mistake. The provisions of Rule 1 of the order XLVII, of the Code of Civil Procedure, 1908, are not attracted in this case. The applicant by means of this application has sought to reopen the case on merit which is not permissible in a Review Application. He is, however, at liberty to take resort to the other remedies as are available under the law.

4. In view of the above, the Review Application is dismissed in circulation.


(Veena Chhotray)
Member (A)


(Shanker Raju)
Member (J)

/pkr/