

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

RA No.311/2004
in
OA No.2439/2004

New Delhi this the th14 day of December, 2004.

HON'BLE MR. V.K. MAJOTRA, VICE-CHAIRMAN (A)
HON'BLE MR. SHANKER RAJU, MEMBER (J)

Gyanender Singh,
(Roll No.1262045),
R/o H-38, PS Lodhi Colony,
New Delhi-110 003.

-Applicant

-Versus-

1. Union of India through
its Secretary,
Ministry of Home Affairs,
North Block, New Delhi.
2. Lt. Governor of Delhi,
Raj Niwas, Delhi.
3. Govt. of NCT of Delhi
through its Chief Secretary,
Delhi Secretariat,
IP Estate, New Delhi.
4. Commissioner of Police,
Police Head Quarter,
IP Estate, New Delhi.
5. Staff Selection Commission,
through its Chairman,
CGO Complex, Lodhi Road,
New Delhi-110 003.

-Respondents

ORDER (By Circulation)


This RA is directed against an order passed by the Tribunal in
OA-2439/2004 on 11.10.2004.

2. The scope of review under Section 22 (3) (f) of the Administrative Tribunals Act, 1985 read with Order XLVII, Rules (1) and (2), lies in a narrow compass. We have perused our order dated 11.10.2004 and do not find any error apparent on the face of the record or discovery of any new and important material, which even after exercise of due diligence, was not available with the review applicant. If the review applicant is not satisfied with the order passed by the Tribunal remedy lies elsewhere. By way of this review the review applicant seeks to re-argue the matter, which is not permissible. The Apex Court in **Union of India v. 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."

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


(Shanker Raju)
Member (J)


(V.K. Majotra)
Vice-Chairman(A)

14.12.04

'San.'