

Central Administrative Tribunal  
Principal Bench

RA 16/98  
in  
OA 2268/92

34

New Delhi this the 21 th day of January, 1998

Hon'ble Shri S.R. Adige, Vice Chairman (A).  
Hon'ble Smt. Lakshmi Swaminathan, Member(J).

Shri I. Chakraborty ...Applicant.

Versus

Union of India & Ors. ...Respondents.

O R D E R (By circulation)

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

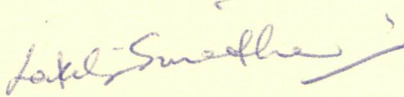
We have carefully considered RA 16/98 in which prayer has been made that the order in OA 2268/92 may be reviewed. The arguments advanced in the RA are actually grounds of appeal against the impugned judgement. If the review applicant is aggrieved by our judgement, it is open to him to file appeal in the proper forum in accordance with law. He cannot use the instrumentality of a review application for this purpose (See the observations of the Hon'ble Supreme Court in **Thungabhadra Industries Ltd. Vs. Govt. of Andhra Pradesh** (AIR 1964 SC 1372) and **Chandra Kanta Vs. Sheikh Habib** (AIR 1975 SC 1500). In **Parsion Devi & Ors. Vs. Sumitri Devi & Ors.** (JT 1997(8) SC 481), the Hon'ble Supreme Court held as follows:

"...An error which is not self evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47 Rule 1 CPC. In exercise of the jurisdiction under Order 47 Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and corrected". A review petition, it must be remembered has a limited purpose and cannot be allowed to be "an appeal in disguise".

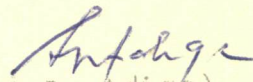
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58

2. In the circumstances of the case, therefore, having regard to the provisions of Order 47 Rule 1 CPC read with Rule 17(3) of the CAT (Procedure) Rules, 1987 under which alone Review will lie, we find no good grounds to allow this Review Application. The same is accordingly rejected.



(Smt. Lakshmi Swaminathan)  
Member(J)



(S.R. Adige)  
Vice Chairman(A)

SRD