

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

ALLAHABAD

REVIEW APPLICATION NO. 10 OF 1998

IN

ORIGINAL APPLICATION NO. 675 OF 1996

Allahabad this the^{6/6}.....Day of^{May}.....1998

Hon'ble Mr. D.S. Baweja, Member (A)

Sukh Sagar Sinha S/O Sri Bhagwan Sinha
aged about 67 years, R/O House No. 49,
Hari Om Colony, Shiwapur Sahbajgang,
P.O. Padri Bazar, Distt. Gorakhpur.

.....Applicant.

By Advocate Sri R.N. Sinha.

V E R S U S

1. Union of India through the General Manager,
N.E. Railway, Gorakhpur.
2. Chief Personal Officer, N.E. Railway,
Gorakhpur.

.....Respondents.

O R D E R

By Hon'ble Mr. D.S. Baweja, Member (A)

This Review Application has been filed seeking the review of the order dated 24.12.1997 in O.A. No. 675/1996.

It has been held by the Hon'ble Supreme Court in several Judgments, that the power of review may be exercised on the discovery of the any new and important matter or evidence which produced after the exercise of the due diligence was not within the knowlege of the

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(2)

Person seeking review or could not be produced by him at the time when the order was made or it may be exercised when some mistakes or errors apparent on fact of the record ^{are} ~~is~~ found. But it may not be exercised on the ground that the decision was erroneous on merits.

Keeping in view the above parameters for seeking review, I have carefully considered the averments in the review application. It is noted that the applicant has sought review of the order on merits and not due to any important fact which could not brought on record earlier or any error apparent on the fact of the record. The applicant is seeking the modification of the relief through ~~the~~ ~~move~~ the review application which can not be allowed. The review is more an appeal in disguise seeking modification of the reliefs on merits.

In the result of the above, I do not find any merit in the review Application and the same is accordingly dismissed.

(Anand)

S. Anand
Member (A)