

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

**Review Application No. 83 of 2001
In**

**Original Application No.936 of 1992
Alongwith
Original Application No.1418 of 1992**

Allahabad this the 28th day of July 2005

**Hon'ble Mr.A.K. Bhatnagar, Member(J)
Hon'ble Mr. S.P. Arya, Member (A)**

Radhey Shyam Singh Yadav
(Proposed respondent in O.A.No.936 & 1418 of 1992)

Applicant

Versus

Superintendent of Post Offices,
Ghazipur and others

Respondents

None for the review applicant

None for the respondents

O R D E R (Oral)

By Hon'ble Mr.A.K. Bhatnagar, Member (J)

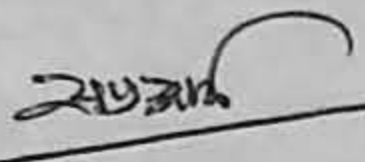
None for the parties even on the revised call. This review application has been filed by the proposed respondent against the Judgment and Order dated 17.08.2000 passed in O.A.No.936 of 1992 and O.A.No.1418 of 1992. The order dated 16.06.1992 by which services of the applicant (in O.A.No.936 and 1418 of 1992) were terminated, was set aside and the respondents were directed to reinstate the applicant on the post in question within 3 months.

2. We have gone through the review application and the Judgment and Order against which same has been filed. The scope of review lies in a narrow campus and re-argument, re-assessment of evidence, and re-writing of Judgment is not permissible in review jurisdiction. It appears that the applicant wants to re-argue the case. Nothing apparent on the face of record is available to show that there is an error. The Hon'ble Supreme Court in the case of Union of India Vs. Tarit Ranjan Das 2004 S.C.C.(L & S) 160 has held as under:-



"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 of 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 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. In the light of observation in the aforesaid Judgment, the present review is liable to be rejected and is accordingly rejected.


Member {A}


Member {J}

/M.M./