

Under Circulation.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,  
ALLAHABAD.

...

Review Application No. 105 of 2004.

IN  
original Application No. 635 of 2003.

this the 17th day of January, 2005.

HON'BLE MRS. MEERA CHHIBBER, MEMBER(J)  
HON'BLE MR. S.C. CHAUBE, MEMBER(A)

Mrs. Lila Emleen Srivastava ... Applicant.  
Versus.  
Union of India & Others. ... Respondents.

O R D E R

BY S.C. CHAUBE, MEMBER(A)

This Review Application has been filed against the judgment and order dated 14th October, 2004 passed by the Tribunal in O.A. no. 635 of 2003.

2. The scope of review under Section 22(3) (f) of the A.T. Act, 1985 read with order XLVII, Rules (1) and (2) <sup>of C.P.C.</sup> lies in a narrow compass. We have perused the order dated 14.10.2004 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 else-where. By way of this review, the review applicants seek to re-argue the matter, which is not permissible. The apex court in the case of Union of India vs. Tarit Ranjan Das reported in 2004 SCC (L&S) 160, has observed as under :

*Shank*

"12. 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 re-hearing of the matter to facilitate a change of opinion on merits. The Tribunal seems to have transgressed its jurisdiction in dealing with the review application as if it was hearing an original application. This aspect has also not been noticed by the High Court."

3. In view of the above, the Review application is dismissed in circulation.

*Shank*  
17.1.05.  
MEMBER (A)

*B*  
20.1.05.  
MEMBER (J)

GIRISH/-