

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD**

**HON'BLE MR. JUSTICE A.K. YOG, MEMBER (J).**

ALLAHABAD this the 30<sup>th</sup> day of *September, 2008.*

**REVIEW APPLICATION NUMBER 50 OF 2005.  
(Filed on behalf of Respondents/Railways)**

1. Union of India, through its General Manager, North Eastern Railway, Gorakhpur.
2. The Divisional Railway Manager, North Eastern Railway, Varanasi.
3. Senior Divisional Officer North Eastern Railway, Varanasi.
4. Divisional Accounts Officer, Varanasi.

.....Applicants.

**VE R S U S**

Ram Bali Tiwari Son of Ram Subhag Tiwari, R/o Sahjauli, Post-Chandrabhar, Pipara, District-Deoria, U.P.

.....Respondents

IN

**Original Application Number. 450 OF 2002.**

Ram Bali Tiwari .....Applicant

**VE R S U S**

Union of India and others .....Respondents

Advocate for the Applicants/ Respondents: Sri K.P. Singh.

Advocate for the Respondent/Applicant : Sri V.K. Srivastava  
Sri V.N. Yadav

**ORDER**

By means of present Review Application, respondents/Railways are seeking recall of final order dated 23.11.2004 passed in O.A No. 450/2002.

2. O.A No. 450/2002 was heard on merit and thereafter decided by Single Member Bench vide final order dated 23.11.2004 (Annexure- 1 of



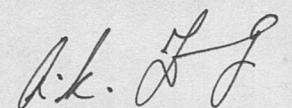
Review Application) directing respondents to make payment of post  
retiral benefits to the applicant.

3. Main grounds for seeking review of aforesaid order are- (i) the respondents/Railway department could not placed relevant rules/Railway Board's letter dated 09.11.1977. Copy of Railwat Board's Letter dated 09.11.1977 has been annexed as Annexure- 2 to the Review Application) and, (ii) certain objections were made by the Accounts Department (as contended in para 6- PP 19 of Review Application).

4. I am afraid that review cannot been allowed on the aforesaid grounds/pretext. The grounds taken in the Review Application do no show that applicant could not file such documents except all other pleadings. It is also not the case that those documents were not available or such material has come to the existence after filing of O.A. If a party is allowed to seek review of final orders on such grounds (as contained in the present Review Application), proceedings will never come to an end. Scope of review is very limited and confined to a narrow compass. No courts in the grab of powers of review can sit in appeal or act as Appellate Court.

5. In view of above, the Review Applicant has no merit and it is accordingly rejected.

6. However, it is made clear if the applicant has not been paid his dues under the order of Tribunal dated 23.11.2004, the respondents /Railway administration shall ensure to make payment forthwith , if same has not been paid on the ground of pending Review Application.

  
MEMBER-J.

/Anand/