

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Rev. Application No. 34 of 1995

IN

Original Application No. 1519 of 1992

Allahabad this the 26/5 day of April 1995

Hon'ble Mr. S. Das Gupta, Member(A)
Hon'ble Mr. Jasbir S. Dhaliwal, Member(J)

Amrit Lal Maurya, S/o Sri Sunder Lal Maurya, A/a
21 years R/o Village and Post Bighara Usmanpur,
Tehsil Chail, Distt. Allahabad.

Applicant.

By Advocate Shri Satish Dwivedi

Versus

Union of India and Others

Respondents.

O R D E R

By Hon'ble Mr. Jasbir S. Dhaliwal, Member(J)

Shri Amrit Lal Maurya has filed this petition praying for a review of the judgement dated 23.12.1994 passed by this Court. The record has been ~~produced~~ perused and the grounds raised have been considered. The petitioner was working as a Bungalow Peon under Inspector of works at Allahabad w.e.f. 09.12.1991 whose services were terminated vide orders dated 19.10.1992. He had challenged the same on various grounds which were considered in detail in light of the rules and the law applicable to the casual labour and

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the petition was dismissed finding no infirmity or illegality in the termination of his services.

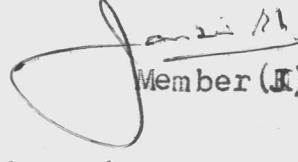
2. The petitioner seeks review on the ground that despite admission by the respondents of requirement of a notice in writing has the Court~~@@~~ decided this question wrongly, that the petitioner had acquired temporary status having worked continuously for 307 days and, thus, his services could not be terminated in the manner these have been done without following the procedure of termination of temporary employees that the Court has not considered properly, that the petitioner was terminated without applying with the provisions~~@@~~ of Section 25 F of I.D. Act, 1947, that the petitioner being a Bungalow Peon could not be considered as a casual labour in project and this question has also been wrongly decided by the Tribunal. These are the main grounds on which the review of the Judgement is sought saying that the Court has committed error in his judgement which is apparent on the face of the record.

3. A reading of the judgement (Annexure-1) shows that all these points were raised by the petitioner which were duly considered in detail. Review by a Court of its own judgement has a very

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limited scope. The Court cannot sit as a Court of Appeal to re-consider the same facts and contentions raised on the same~~all~~ grounds over again. Even if, it is shown that Court has ~~reached~~ reached a wrong conclusion, the remedy is by way of appeal, Review application would not be maintainable.

4. We have, however, considered the questions raised, once again and do not find that any error has been committed by the Court. It is un-necessary to deal with all the points again as these have been dealt with in annexure A-1, the earlier judgement. Suffice it to say that we do not find any merit in this review application, the same is dismissed as such.


Member (J)
/M.M./


Member (A),