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CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the day 21st March of 1995.

REVIEW APPLICATION NO. 87/10 OF 1994.

IN

ORIGINAL APPLICATION NO. 531 OF 1993.

Raghvendra Kumar Upadhyaya, S/o Sri Devendra
Kumar Upadhyaya, R/o Village & Post Office-Kohra
Sultanpur, District-Jaunpur.

By Advocate Sri M.A. Siddiqui. Applicant.

versus

The Union of India,
Through the Director General (Posts)
Dak Bhawan, New Delhi And 4 others.

..... Respondents.

CORAM: Hon'ble Mr. S. Das Gupta, MEMBER (A)

Hon'ble Mr. T.L. Verma, MEMBER (A)

O R D E R

By Hon'ble Mr. S. Das Gupta, MEMBER (A)

1. This application has been filed seeking Review of the Judgment and Order dated 26.9.1994, by which O.A. No. 539 of 1993 was dismissed.
2. In the said O.A., the applicant had prayed that the appointment of the respondent no. 6 in that O.A be quashed and he be appointed on the post of Extra Departmental Branch Post Master. It was held that an earlier cancellation of the appointment of the respondent no. 6 having been set aside by a Bench of the Tribunal and the Tribunal's order having

become final after a S.L.P was disposed of by the Supreme Court, there would not be any reason to adjudicate the matter afresh to examine as to who between the applicant and the respondent no. 6 is a better candidate for the post.

3. In the Review Application submissions made, ^{but} ~~who~~ tend to indicate that what is being sought, ~~is~~ is a reappraisal of the matter as to who is a better candidate. In other words, the entire controversy is sought to be reopened for re-adjudication ^{by} this Review Application. This does not come within the ambit of a Review Application.

4. The scope of a review of a judgment already delivered is very limited. A judgment and order already passed can be reviewed only if there is any error apparent on the face of the record or some new facts are brought out, which could not be brought out earlier despite due diligence warranting review of the order. We find no error apparent on the face of the record in the judgment delivered nor have any new facts ^{been} brought out in the Review Application.

5. In view of the above, the Review Application is dismissed.


MEMBER (J)


MEMBER (A)

ALLAHABAD: DATED:

am/