

OPEN COURT.
CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD.
Review Application no. 31 of 2003
In
Original Application No. 687 of 2002.

ALLAHABAD THIS THE 04th DAY OF AUGUST 2005.

Hon'ble Mr.D.R. TIWARI, MEMBER-A
HON'BLE MR. K.B.S RAJAN, MEMBER-J

Union of India and others.....Applicants.

(By Advocate : Sri Amit Sthelakar)

Versus.

Shyam Charan Pandey.....Respondents.

(By Advocate : Sri O.P. Gupta)

ORDER

(By Hon'ble Mr. D.R. Tiwari, A.M)

The instant Review Application has been challenging the order passed in O.A. No.687/02 decided by this Tribunal on 20.09.2002.

2. The Review applicant has submitted that the case relates to B.S.N.L. which has not been notified under section 14 (2) of the Administrative Tribunals Act 1985. Hence he submits that the Tribunal did not have any jurisdiction to entertain and decide the O.A. in question. from the record, we find that no such objection was taken neither in the counter affidavit nor during the course of argument.


3. Learned counsel for the respondents, on the other hand, has submitted that Review application can be filed if some new

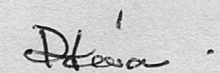
D.R. Tiwari

facts have come and he relied on the decision of Hon'ble Supreme Court's judgment in the case of Shri Chander Kanta and another Vs. Shri Sheikh reported in A.I.R. 1975 S.C. 1500.

4. The settled legal position that the Review of the order passed can not be an appeal in disguise.

5. In view of the above legal position, the Review Application is rejected.


Member-J


Member-A.

Manish/-