

(BY CIRCULATION)

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD**

ALLAHABAD this the 5 day of January, 2009.

HON'BLE MR. A.K. GAUR, MEMBER- J.

REVIEW APPLICATION NO. 52 OF 2008

Keshav Prasad Singh, S/o Late Acchaibar Singh, R/o Village and Post-
Mangitpur, District- Azamgarh.

..... Applicant

V E R S U S

1. Union of India through the Secretary, Ministry of Communication,
Department of Post, Dak Bhawan, Sansad Marg, New Delhi.
2. The Senior Superintendent of Post Offices, Azamgarh.
3. The Senior Post Master, Azamgarh Head Office.
4. The Inspector Post Azamgarh West Division, Azamgarh.

..... Respondent

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ORIGINAL APPLICATION NO. 1100 OF 2007

Keshav Prasad Singh

..... Applicant.

V E R S U S

Union of India and others

..... Respondents

Counsel for the Review Applicant: Sri Anandnra Kumar Srivastava

ORDER

This Review Application is filed against judgment and order dated
04.09.2008. The grievance of the applicant is that while passing the
order, the Tribunal has committed manifest error of law because the

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the pleadings of the parties and, therefore, the order requires to be reviewed.

2. A bare perusal of the order dated 04.09.2008 and the grounds taken by the applicant in his Review Application, I do not find any justifiable ground to review the order as the scope of review is very limited, if the order suffers from error apparent on the face of record or the mistake crept in the order is very glaring. The said order dated 04.09.2008 has been passed after hearing learned counsel for the parties on merits. Hon'ble Supreme Court in catena of judgments (2005 Vol 3 (Supreme) page 460, JT 2001(7) SC page 564, 2005 Vol. 4 SCC 741- Board of Control for Cricket in India Vs. Netaji Cricket Club and 2007 (2) Scale page 129- Andhra Pradesh State Road Transport Corporation Vs. Abdul Karim) has held that the review application cannot be lightly entertained. It should be entertained only when there are manifest error crept up in the judgment resulting miscarriage of justice.

3. Having carefully seen the record and Review Application, I am of the considered view that the grounds taken by the applicant in the instant Review Application are not tenable in law. The grounds taken in the Review Application are wholly misconceived. Under the garb of review, the applicant has made an attempt to reopen and reargue the whole matter. In the grab of powers of review, the Tribunal cannot sit in appeal or act as Appellate Court. The grounds taken in the Review Application does not come within the purview of review. Therefore, the Review Application is rejected.


(A. K. GAUR)
MEMBER- J.

/Anand/