

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

R. A. NO. 3/2003  
IN  
O. A. 409/1997

Calcutta this the 30 th day of July, 2003.

**Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J).**  
**Hon'ble Shri S. Biswas, Member (A).**

In the matter of:

1. Jagat Narayan Singh,  
S/o late Shri Ashunandan Singh,  
R/o No. 23, Beniapara Lane,  
Sreerampur, PO-Shreerampur,  
District-Hooghly.
2. Sansat Kumar Mondal,  
S/o Shri Manohar Mondal,  
R/o Village Muktapur,  
PO - Muktapur,  
District - Hooghly. .... Applicants.

Versus

1. The General Manager,  
Eastern Railway,  
Calcutta-700 001.
2. The Senior Divisional Personnel,  
Officer, Eastern Railway,  
Howrah.
3. The Yard Superintendent,  
Eastern Railway,  
Howrah Goods. .... Respondents.

O R D E R (By Circulation)

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J).

We have perused RA 3/2003 filed by the applicants in OA 409/1997, praying for review of Tribunal's order dated 14.1.2003. The orders sought to be reviewed have been passed after hearing both the learned counsel for parties and perusing the relevant documents on record. It is settled that a review application cannot be used as if it is an appeal to reargue the whole case, which the applicants are attempting to do in the aforesaid RA. In

82

**Meera Bhanja Vs. Nirmala Kumari Choudhury** (AIR 1995 SC 455), the Hon'ble Supreme Court has held that the error apparent on the face of the record means an error which strikes one on mere looking at record and would not require any long drawn process of reasoning on points or reappreciating the entire evidence. (See also the observations of the Hon'ble Supreme Court in **A.T. Sharma Vs. A.P. Sharma & Ors.** (AIR 1979 SC 1047). In **K. Ajit Babu and Ors. Vs. Union of India & Ors.** (1998 (1) AISLJ 86), the Hon'ble Supreme Court has held that right of review is not a right of appeal where all questions decided are open to challenge. If the applicants feel <sup>even then</sup> that the decision is erroneous, review application does not lie unless any sufficient grounds as contained in Order 47 Rule 1 CPC read with Section 22 (3) (f) of the Administrative Tribunals Act, 1985 are present, which is not the case in the present application.

2. In the result, for the reasons given above, RA 3/2003 is rejected.

*S. Biswas*  
(S. Biswas)  
Member (A)

*Lakshmi Swaminathan*  
(Smt. Lakshmi Swaminathan)  
Vice Chairman (J)

'SRD'