

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH
R.A.NO. 91/2004 in M.P. No. 1879/04

(T.A. 1/99)

• Lucknow this the 2nd day of Dec., 2004.

HON. SHRI S.P. ARYA, MEMBER(A)

HON. SHRI M.L. SAHNI, MEMBER(J)

Amir Ahmad

Applicant

versus

Union of India & others

Respondents.

ORDER (By Circulakou)

BY M.L.SAHNI, MEMBER(J)

The above Review application has been filed under circulation Rules for review of the order dated 8.10.2004 passed in M.P. No. 1879, by which the prayer of the applicant to supply him certified copies of record/document mentioned in his application dated 18.8.2003 was rejected.

2. The R.A. has been filed on various grounds, including that the Lucknow Bench of the Tribunal has not perused the directions dated 17.11.94 of Guwahati Bench. We have perused the record and gone through the grounds as well.

3. The scope of review as is well settled, is very limited as held in Meera Bhanja (Smt.) vs.

Nirmala Kumari Choudhury (Smt.) (1995) 1 SCC, 170 and Parsion Devi and others vs. Sumitri Devi and others (1997) 8 SCC, 715. It was laid down in these judgments by the Hon'ble Supreme Court that the review proceedings are not by way of appeal and have to be strictly confined to the scope and ambit of order 47, rule 1 of the C.P.C. The Review has to be entertained only on the ground of error apparent on the face of record and not on any other ground. The error apparent on the face of record must be such an error which must strike one on mere looking at the record and would not require any long drawn process of reasoning on points where there may conceivably be

two opinions. It is further stated in Parson Devi (supra) that there is a clear distinction between the erroneous decision and error apparent on the face of record; while the first can be corrected by the higher forum, the latter only can be corrected by exercise of review jurisdiction. The review petition has a limited purpose and cannot be allowed to be "an appeal in disguise."

5. In view of the above dictates of law clearly laid down by the Hon'ble Supreme Court, we find ourselves unable to be persuaded by the grounds taken in the review, that the error pointed out in the order is such which entitles the applicant to get impugned order recalled to be reheard. Hence the Review petition is found meritless and is dismissed.

Disabw
(M.L.SANI) 21/2/108

Member (J)
s.a.

25/2/108
(S.P.ARYA)
Member (A)