

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

R.A. 12/05 (O.A 591/02)

Lucknow this the 20th day of ~~March~~^{April}, 2005.

HON. SHRI V.K. MAJOTRA, V.C.

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

Satish Chandra Deoras aged about 29 years son of Sri Deota Prasad Sen R/o 266 Khandari Bazar, Faizabad.

Applicant.

versus

1. Union of India through the Secretary, Ministry of Defence, Govt. of India, New Delhi.
2. Dogra Regimental Kendra, the Dogra Regimental Centre Faizabad U.P. through its Lt. Col. G.S.O. (1st) Training.

respondents.

O R D E R

By Shri M.L. Sahni, Member(J)

The applicant has filed the above review application under circulation rules for review of our order dated 8.2.2005 passed in O.A. No. 591/2002, by which the Original Application was dismissed on account of lack of jurisdiction.

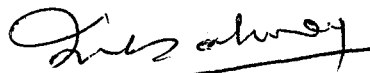
2. The applicant has taken the ground that the Tribunal has committed an error ^{holding} ~~for assuring~~ the applicant ^{employee} of D.O.R.A. (Association).

3. We have gone through the Review Application and find no error apparent on the face of record.

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 Parsion 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." Reference may also be made to a recent judgment in (2003) 11 SCC, 658 in re Union of India & others vs. Tarit Ranjan Das on the subject.

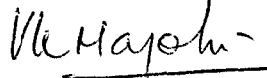
5. In view of the above dictates of law clearly laid down by the Hon'ble Supreme Court, we find ourselves unable to be persuaded by the grounds taken in the review, that the error pointed out in the order is such which entitles the applicant to get impugned order recalled to be reheard. Hence the Review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



(M.L.SAHNI)

Member(J)

s.a.



(V.K.MAJOTRA)

V.C.

OR.
Copy of order
prepared on 21/4/05
21/4/05