

**Central Administrative Tribunal . Lucknow Bench. Lucknow**

**R.A. No. 3 of 2007 in O.A. No. 555/2006**

this the <sup>6</sup>22<sup>nd</sup> day of May, 2007

**Hon'ble Shri A.K. Singh, Member (A)**

Kamta Prasad Pandey aged about 59 years son of Sri Dharam Narain Pandey, resident of Village and Post Badaiyan, District-Sultanpur (lastly working as Postmaster, Sultanpur (HSGI).

..Applicants

By Advocate: Sri R.C.Singh

Versus

Union of India and others

Respondents

By Advocate: Sri S.K.Singh

**ORDER**

**BY HON'BLE SHRI A.K. SINGH, MEMBER (A)**

This Review Application is directed against the order passed by the Tribunal in O A No 555/1996 on 12.1.2007.

2. The scope of review under Section 22 (3)(f) of the AT Act, 1985 read with Order XLVII, Rule (1) and (2) is far too narrow.

3. I have considered the review application. There is no error apparent on record. Applicant has taken those arguments for review of the decision taken by this Tribunal which were never raised at the original stage. These points, therefore, cannot be entertained at this stage. He has also not explained to the satisfaction of this bench as to why these points were not raised at the original stage. The Apex Court in *Union of India Vs. Tarit Ranjan Das* 2004 SCC (L&S) 160 observed as under:-

*Madh*  
"The Tribunal passed the impugned order by reviewing the earlier order. A bare reading of the two orders shows that the order in review application was in complete variation and disregard of the earlier Order and the strong as well as sound reasons contained therein whereby the original application was rejected. The scope of review is rather limited and is not permissible for the forum hearing the

review application to act as an appellate authority in respect of the original order by a fresh order and rehearing of the matter to facilitate a change of opinion on merits. The Tribunal seems to have transgressed its jurisdiction in dealing with the review petition as if it was hearing an original application. This aspect has also not been noticed by the High Court."

4. In view of the above, the Review Application is beyond the scope of Rule 22.(3)(F) of CAT Procedure Rules, 1987, read with order 47 Rule 1 CPC. As such, the Review Application is dismissed under circulation itself.



**(A.K. SINGH)**  
**MEMBER (A)**

HLS/-,