

THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH

Review Application No.09/2007.

In

Original Application No.496/1999.

This the 24th day of April 2007.

HON'BLE MR. M. KANTHAIAH, MEMBER (J).

Vidya Nand Dubey **...Applicant.**

By Advocate: Shri A. Moin.

Versus.

Union of India & Others. **.... Respondents.**

By Advocate: -x-.

ORDER

BY HON'BLE MR. M. KANTHAIAH, MEMBER (J).

The petitioner who is the applicant in Original application has filed this Review petition to review the orders of the Tribunal Dt. 27.02.2007.

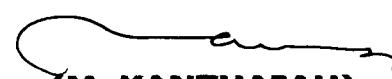
2. The petition has been decided under Circulation.

3. The brief facts of the case are that the applicant filed the OA to issue a direction to the respondents to change the category of the applicant from the post of Running Room Cook to Running Room Janitor and also to pay in the scale of Rs. 1600-2660 w.e.f 18.04.1999 since the date of working on deputation. The respondents have filed their Counter opposing the claim of the applicant. After hearing both sides, and on perusal of records, this Tribunal passed orders on 27.02.2007 dismissing the claim of the applicant by giving reasons. Thereafter the applicant has approached this Tribunal with the present

review petition on the ground that the reasons given by the Tribunal for disallowing the claim of the applicant are either against the pleas of respondents or against settled preposition of law and thus wants to allow his claim, on the ground of error on the face of records.

4. When the Tribunal has given finding on each of the claims of the applicant with reasons, it is not open to him to state it as error on the face of record. Whatever pleas are taken by the applicant in respect of his entitlement for payment of salary on the said post and also limitation in this review petition are the correctness of findings of the Tribunal, which are within the purview of appeal, but not within the scope of review as contemplated under the Order 47 Rule 1 C.P.C. Further the petitioner is not justified to seek review of the order of the Tribunal dated 27.02.2007 on the ground that it has not properly appreciated the case of the parties by way of review.

5. From the above discussion, it is clear that none of the ingredients of Order 47 Rule 1 of C.P.C. are satisfied to entertain the petition for review of its order Dt. 27.02.2007 and as such it deserves for rejection. Hence rejected in the circulation.


(M. KANTHAIAH)

MEMBER (J)

20-4-07

Amit/