

Central Administrative Tribunal, Lucknow Bench, lucknow
Review Application No. 50/2004 inO.A. 235/2003

this the ~~5th~~ day of July, 2004

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

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

Smt. Uma Khare, wife of Sri Keshav Kant Khare, aged
about 62 years resident of 52 , Gandhi Nagar,
Chhitwapur Pajawa, Lucknow, U.P.

...Applicant/reviewist

By Advocate:Sri R.B. Srivastava

Versus

1. Union of India through Chairman, Betwa River Board,
Ministry of Water Resources, Govt. of India, Shram Shakti
bhawan, New Delhi.
2. The Chairman, Executive Committee, Betwa :River
Board, Kendriya Jal Aayog, Sewa Bhawan, R.K. Puram, New
Delhi.
3. Secretary, Betwa River Board, Rajghat Dam Colony,
Nandanpura, Jhansi (U.P.)
4. Superintending Engineer, Rajghat Bandh Mandal,
Rajghat, Lalitpur (U.P.)
5. Executive Engineer, Power House Civil and Store
Division, Rajghat, Lalitpur (U.P.).

...Respondents

By Advocate: None

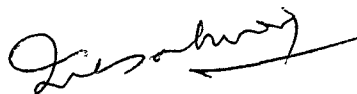
ORDER (ORAL)

BY HON'BLE SHRI S.P. ARYA, MEMBER (A)

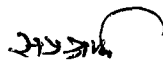
Since no hearing is considered necessary, the
present review application is being disposed of under
circulation rules.

2. This review application has been filed by the
applicant for reviewing the judgement and order dated
12.5.2004 in O.A. No. 235/2003 on the ground that the
Tribunal has the jurisdiction to entertain the O.A. as
Betwa River Board is owned and controlled by the
Central Govt. The applicant relies on the order of the

Hon'ble High Court in Writ Petition No. 440 /2003 in Desh Kiron Mehta Vs. CAT and others where it was held that Prasara Bharti being a corporation owned and controlled by the Central Govt., ^{where} a mandamus was issued to restore the Original Application ~~to~~ its original number and decide the same. The facts and circumstances of the case being different, ^{the same order} cannot be applied in the present case. This Tribunal cannot sit in appeal against the order passed by it. Reassessment of evidence and rewriting of the judgement is not permissible in review applications. Relying on the ratio of Ajit Kumar Rath Vs. State of Orrisa and others (1999) 9 SCC 596 and finding no apparent error on the face of record, review application is liable to be dismissed. It is dismissed.


MEMBER (J)

HLS/-


MEMBER (A)