

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

Review Application No 95/04

(O.A. No. 561/98)

Lucknow this the 24<sup>th</sup> day of Dec., 2004.

HON. SHRI M.P. SINGH, VICE CHAIRMAN

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

Mohd. Iqbal

Applicant

versus

Union of India & others

Respondents.

O R D E R

The above R.A. has been filed by the original applicant Mohd Iqbal for review of our order dated 29th June, 2004 passed in O.A. No. 561/1998, by which the prayer of the applicant was rejected and the O.A. was dismissed.

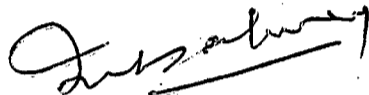
2. The applicant has also filed M.P. No. 2685/04 for condonation of delay in filing the R.A. We are satisfied with the reasons for delay explained in the application for condonation of delay, in filing the R.A. Hence M.P. No. 2685/04 is allowed. The delay in filing the R.A. is condoned.

3. The applicant has filed the R.A. inter alia on the ground that though the Tribunal directed that the applicant be considered for selection, yet the <sup>CA</sup> same has been dismissed. We have perused the R.A. and the grounds taken in the R.A.

4. 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."

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.



(M.P. SINGH)

Vice Chairman