

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

RA No.5 of 2005

IN

OA No.582 of 1997

Lucknow this the ^{2nd} day of March, 2005.

**HON'BLE MR. SHANKER RAJU, MEMBER (J)
HON'BLE MR. S.P. ARYA, MEMBER (A)**

R.R. Misra

-Applicant

-Versus-

Union of India and others

-Respondents

ORDER (By Circulation)

SHRI SHANKER RAJU, MEMBER (J):

The present Review Application is directed against the orders passed in OA No.582/1997 on 18.1.2005 seeking review of the said orders.

2. We have perused the grounds taken in the Review Application, but we find no error apparent on the face of record. By this Review Application, applicant is only trying to re-argue the whole matter as if it is an appeal. The ambit of review under Section 22 (3) (f) of the Administrative Tribunals Act, 1985 as well as Order XLVII , Rules (1) and (2) is limited. The Apex Court in *Union of India v. Tarit Ranjan Das*, 2004 SCC (L&S) 160 observed as under:

“13. 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 for review is rather limited and it 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. Having regard to the above, RA is dismissed, in circulation.

21/3/05
(S.P. ARYA)
MEMBER (A)

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S. Raju
(SHANKER RAJU)
Member (J)
21/3/05