

**CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH
LUCKNOW**

Review Application No. 05/2007 In O.A. 367/2005.

This the 4th day of March, 2007

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

1. Director General, Postal Department, Dak Bhawan, New Delhi.
2. Post Master General, Bareilly Region, Bareilly.
3. Superintendent of Post Office-s, Hardoi Division, Hardoi.

....Reviewists/Applicants

By Advocate Shri A.P. Usmani.

Versus

Girish Kumar Gupta, aged about 38 years, son of Shri Matadin Gupta, Resident of Ashanagar, Hardoi.

Respondents

ORDER (BY CIRCULATION)

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

I have perused Review Application 5/2007 against the order passed by the Tribunal in O.A. 367/2005 on 10.01.2007 and the grounds mentioned therein.

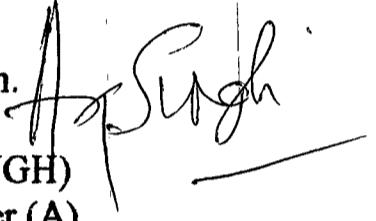
2. On a perusal of order-dated 10.01.2007, I do not find any error apparent on the face of record. I also do not find discovery of any new and important material, which can materially alter the facts or the complexion of the case. Moreover, by way of this review, the review applicant is seeking to re-argue the matter, which is not permissible in

law. The Apex Court in Union of India Vs. Tarit Ranjan Das 2004

SCC (L&S) 160 observed as under: -

"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."

3. Having regard to the above, R.A. is dismissed in circulation.


(A.K. SINGH)
Member (A)