

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

R.P.NO:36/97 IN O.A.1215/96 ALONG WITH MP 231/97

&

R.P.NO:37/97 IN O.A. 803/96 ALONG WITH MP 232/97

CORAM:

HON'BLE SHRI B.S.HEGDE, MEMBER(J)

HON'BLE SHRI M.R.KOLHATKAR, MEMBER(A)

1. A.K.Mishra and 3 Ors.

.. Review Petitioners
in RP No.36/97 in
O.A.No. 1215/96

2. Suresh Mishra and 7 Ors.

.. Review Petitioners
in RP No.37/97 in
O.A.NO: 803/96

-versus-

Union of India & Ors.

.. Respondents

Tribunal's order on Review Petition
by circulation

Date: 17-4-1997

(Per M.R.Kolhatkar, Member(A))

In these RPs the review petitioners have prayed for review of our judgment dt. 4-3-97 which disposed of O.A.803/96, O.A.1215/96 & O.A.1216/96 The main ground for review is that there are mistakes and errors on the face of the record and there are also sufficient reasons for filing the review application. According to review petitioners there are seven errors of law on the face of the record which justify review.

2. On going through the same it appears that review petitioners have effectively sought to re-agitate the same issues which stood settled by our judgment. We are, therefore, not inclined to deal with these grounds in detail as it would really require us to reiterate the points made in our judgment. There is ample authority for the proposition that "review proceedings are not by way of an appeal and have to be strictly confined to the scope and ambit of Order 47, Rule 1, C.P.C." In this connection reference

may be made to the case of Smt. Meera Bhanja vs. Smt. Nirmala Kumari Choudhary, AIR 1995 SC 455. We are, therefore of the view that the RPs are without merit and we therefore dismiss the same by circulation as permitted by rules.

3. The review petitioners have also purported to have filed MPs in the review petition restraining the respondents from repatriating the applicants. It is doubtful if such MPs in RP can be considered. It is to be noted that MP 151/97 in O.A. 1215/96 and MP 149/97 in O.A. 803/96 was moved seeking stay of the operation of our judgment and the same was dismissed by this Tribunal on 7-3-97 in the open court. To the extent the MPs are part of the RP they also stand dismissed along with RPs.

(M.R.KOLHATKAR)
Member(A)

(B.S.HEGDE)
Member(J)

M

order/Judgment dated 17/4/97
to Applicatⁿ despatched
on 3/4/97 - Part(s)
OC filed in O.A 1215/96
29/4/97