

Central Administrative Tribunal
Mumbai Bench

RP 57/2001
in
OA 94/1996

Mumbai this the 9th day of October, 2001

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman(J).
Hon'ble Smt. Shanta Shastry, Member (A).

U.A. Ashture Petitioner.

Versus

Union of India & Ors. Respondents.

O R D E R (By Circulation)

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman(J).

RP 57/2001 has been filed by the applicant against the Tribunal's order dated 18.7.2001, praying for recall of the order and the O.A. be heard on the issues put forth in the Review Petition.

2. We have carefully considered the grounds taken in the aforesaid Review Petition. It is relevant to note that the Tribunal's order dated 18.7.2001 is an oral order passed after hearing the learned counsel for the parties and in their presence. The applicant has tried to reargue the case in the Review Petition. It is settled law (See the judgements of the Hon'ble Supreme Court in Tungabhadra Industries Ltd. Vs. The Government of Andhra Pradesh (AIR 1964 SC 1372), A.T. Sharma Vs. A.P. Sharma & Ors. (AIR 1979 SC 1047) and Meera Bhanja Vs. Nirmala Kumari Choudhary (AIR 1995 SC 455) that the Review Application/Petition cannot be used as if it is an appeal to reagitate the same issues or other issues merely because the applicant feels that the order passed by the

JB.

Tribunal is wrong. As none of the grounds to allow the Review Petition under the provisions of Order 47 Rule 1 CPC read with Section 22(3)(f) of the Administrative Tribunals Act, 1985 is available to the applicant in the present case, RP 57/2001 is dismissed.

Shanta

(Shanta Shastri)
Member(A)

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)
Vice Chairman (J)

'SRD'