

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

R.P. NO.: 55/98 IN O.A. No. 954/92.

Dated the 9th day of October, 1998.

CORAM : Hon'ble Shri Justice R. G. Vaidyanatha,
Vice-Chairman.

Hon'ble Shri D. S. Baweja, Member (A).

Shri B. G. Shinde

... Review Petitioner.

Versus

Central Board of Direct
Taxes & Others.

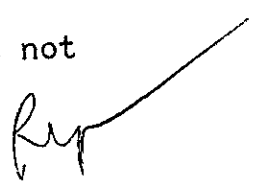
... Respondents.

: ORDER ON CIRCULATION :

{ PER.: Shri R. G. Vaidyanatha, Vice-Chairman }

This is a review petition filed by the Original Applicant seeking review of our judgement dated 18.08.1998 in O.A. No. 954/92. We have perused the review petition and the entire materials on record.

2. The applicant wants by way of this review petition retrospective monetary benefits and also interest on the monetary benefits. We have considered this question in our judgement. We have given specific reasons ^{and} to why we are restricting the monetary benefits only to one year prior to the date of filing of the O.A. Therefore, reviewing the same does not arise.



As far as the claim of the applicant for interest on the arrears of monetary benefits is concerned, we have specifically considered the same and rejected the claim for interest. Therefore, again seeking review on the point does not arise.

3. It is well settled that the scope of review under Order 47 Rule 1 C.P.C. is very limited. It cannot be invoked as if a review petition is in the nature of an appeal against the order of a Court or Tribunal. If the applicant is aggrieved by the order of the Tribunal on merits, he may take appropriate legal steps by approaching higher forum. He cannot approach the same Tribunal by way of a review petition when the Tribunal has already considered the points and given its findings on merits. We, therefore, do not find any merit in the review petition.

4. In the result, the review petition is rejected by circulation.

D. S. Baweja
(D. S. BAWEJA)
MEMBER (A).

R. G. Vaidyanatha
(R. G. VAIDYANATHA)
VICE-CHAIRMAN.

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9/10/98
order/Judgement despatched
to Applicant/Respondent(s)
on 16/10/98

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20/10

J II
(C)