

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH 'GULESTAN' BUILDING NO:6  
PRESCOT ROAD, MUMBAI:1

Review Petition No.20/99 in  
Original Application No.1179/93.

Monday the 7th day of June 1999.

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

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

M.S. Kamble. ... Applicant.

By Advocate Shri K. Swaminathan.

V/s.

Union of India and others. ... Respondents.

ORDER (ORAL)

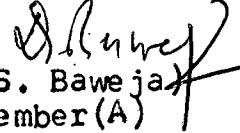
¶ Per Shri Justice R.G.Vaidyanatha, Vice Chairman

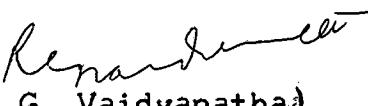
This is a Review Petition filed by the applicant to review the order of the Tribunal dated 10.3.1998 to which one of us was a party (Shri R.G.Vaidyanatha.) We have heard the counsel for the applicant in support of the Review Petition and M.P. for condoning delay in filing Review Petition.

2. After hearing the learned counsel for the applicant and on perusal of the allegation in the Review Petition we find that the Review Petition is more in the nature of an appeal. It is not in the form of review at all. It is not the case of the applicant that there is an apparent error on the record or discovery of any new material or any other grounds within the meaning of Order 47 Rule 1 CPC. The fact that the Review Petition runs into 83 pages itself demonstrates that the applicant wants to re-agitate the same matter before the same Tribunal once again.

If the applicant is aggrieved by the order of the Tribunal his remedy is elsewhere and certainly not in the form of Review Petition under Order 47 Rule 1 of CPC. Therefore the Review Petition is liable to be rejected. In view of this there is no necessity to pass any order on M.P. 299/99 and the same does not survive.

3. In the result both Review Petition and the M.P. 299/999 are disposed of.

  
(D.S. Baweja)  
Member (A)

  
(R.G. Vaidyanatha),  
Vice Chairman

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