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

Review Petition No. 9/99 and 10/99 in
Original Application Nos. 918/97 and 663/97.

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

Smt. Vasanta @ Mariama
Wd/o Vijaykumar Doraiswamy ... Applicant.

V/s.

Union of India and others. ... Respondents.

Tribunal's order on Review Petition on Circulation.

(Per Shri Justice R.G.Vaidyanatha, Vice Chairman)

Dated: 09.3.1999.

These are two Review Petitions filed by the original applicant in O.As 918/97 and 663/97 which were disposed of by common order dated 6.1.1999 by me. I have perused the contents of the Review Petitions and also the entire case papers.

2. There is serious dispute between the applicant on the one hand and respondent No.3 on the other hand regarding their relationship with the deceased Vijaykumar Doraiswamy. Both of them claims to be the widow of the deceased Vijaykumar Doraiswamy. The applicant in both the O.As Smt. Vasanta @ Mariama filed these two applications claiming retirement benefits and also for compassionate appointment. Respondent No.3 filed her reply claiming that she is the real widow of the deceased and denied the relationship of the applicant with the deceased.

In my order dated 6.1.1999, I have mentioned that this is a serious dispute of the two rival applicants, each claiming to be the widow of the deceased. Such a disputed relationship cannot be decided by service Tribunal under Section 19 of the Administrative Tribunals Act. Therefore, I directed the parties to approach the Competant Civil Court for

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obtaining a declaration or succession certificate.

3. The applicant in the two original applications has filed the two Review Petitions. After going through the contents of the Review Petition, I do not find that any case has been made out for granting the relief. The scope of Review Petition under Order 47 Rule 1 is very limitted. If there is an error apparent on record or discovery of any new material or for sufficient reasons a Court can entertain the Review Petition. Here there is no error apparent on record has been pointed out in the two Review Petitions and there is no allegations of discovery of any new evidence after the order, except repeating the same contentions which were taken earlier and which were rejected earlier. I do not find any sufficient reason being made out for admitting the Review Petitions. I therefore, find that both the Review Petitions are not maintainable.

4. In the result both the Review Petitions are rejected by this order on circulation.

(R.G. Vaidyanatha)
Vice Chairman

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