

CENTRAL ADMINISTRATIVE TRIBUNAL,
JABALPUR BENCH,
JABALPUR

Review Application No. 14 of 2007 in
Contempt Petition No. 88 of 2005

Jabalpur, this the 13th day of August, 2007

B.B. Sharma & Anr.

.....

Applicants

V e r s u s

Union of India & Ors.

.....

Respondents

ORDER (In Circulation)

By A.K. Gaur, Judicial Member –

In the guise of appeal the applicants have filed the aforesaid review petition for reviewing the order passed by this Tribunal in CCP No. 88 of 2005 on 20th March, 2007.

2. The main ingredients prescribed for filing a review petition are completely lacking. It is settled principle of law that the Tribunal cannot act as an appellate court for reviewing the original order and this proposition of law is supported by the decision of the Hon'ble Supreme Court rendered in the case of Union of India Vs. Tarit Ranjan Das - 2004 SCC (L&S) 160. Further in 2002 SCC (L&S) 18 – K.L. Nandakumaran Nair Vs. K.I. Philip & Ors., the Hon'ble Supreme Court has clearly held that if in a case where Tribunal has totally ignored the pleadings and shut its eyes to the materials available, in such circumstances the review application could be maintainable. The Hon'ble Supreme Court also in the case of Subhash Vs. State of Maharashtra & Anr. – 2002 (1) ATJ 551 has clearly held that unless the error is plain and apparent, the Tribunal has no jurisdiction to interfere with its order.

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3. In view of the discussion made above, we are of the considered opinion that the applicants have failed to make out any case for review of the judgment and order dated 20th March, 2007 passed in CCP No. 88 of 2005. Accordingly, the present review petition is dismissed at the circulation stage itself.

A.K. Gaur
(A.K. Gaur)
Judicial Member

G.C. Srivastava
(Dr. G.C. Srivastava)
Vice Chairman

"SA"

पुस्तक सं ओ/न्या.....जबलपुर, दि.....

पत्तिलिपि

(1) सचिव, उपाय

जबलपुर

(2) आदेशक

श्री आनंद. चाल

(3) प्रमुख

श्री M⁰ Banerjee

(4) अध्यक्ष, उपाय

संख्या एवं आवश्यक कार्य

16.8.07

उप रजिस्ट्रार

16/8/07