

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Review Application No 54 of 2005
(in OA No. 998 of 2004)

Jabalpur, this the 16th day of December, 2005.

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. Madan Mohan, Judicial Member

1. Union of India,
Through General Manager,
West Central Railway, Jabalpur.
 2. Divisional Railway Manager,
(P) West Central Railway, Jabalpur
- Applicants

(By Advocate – Shri H.B. Shrivastava)

V E R S U S

Swastin More S/o Shri Francis More
Aged about 42 years, In the house of Vijay Kumar Pasin)
Behind Jagdama Kerina, Sarkari Kuan Road Near Putri
Shala Post-Bai-Ka-Bagicha Jabalpur

Respondent

(By Advocate – Shri James Antony)

O R D E R

By M.P. Singh, Vice Chairman –

Heard the learned counsel for the parties.

- in OA 998/04
2. The respondents have filed this Review Application for reviewing the order dated 18.5.2005 passed in OA No.998/04. The aforesaid OA was disposed of with the following directions :-

“After hearing the learned counsel for the parties and considering all the facts and circumstances of the case, the ends of justice would be met if we direct the respondent to consider the case of the applicant in future as and when there is work, in preference to the junior or fresher.”

In this Review Application, the respondents have stated that the case of the applicant cannot be considered on the ground that his name is

[Signature]

not appearing in the live register and he has attained more than 40 years of age.

3. We find that the aforesaid ground has already been taken by the respondents at the time of final arguments in the aforesaid OA and after considering the same the Tribunal has passed the aforesaid directions. We also find that no clerical error or glaring mistake has been pointed out by the applicant in this RA. It is settled legal position that the review proceedings are to be strictly confined to ambit and scope of Order 47 Rule 1 of CPC. It must be remembered that a review petition has a limited purpose and cannot be allowed to be an appeal in disguise. The Hon'ble Supreme court in the case of Union of India Vs. Tarit Ranjan Das, 2004 SCC(L&S) 160 has held that the Tribunal cannot act as an appellate court while reviewing the original orders.

3. In view of the foregoing, we do not find any merit in this RA, and accordingly, the same is rejected.

(Madan Mohan)
Judicial Member

(M.P. Singh)
Vice Chairman

पृष्ठांकन सं. ओ/नंदा..... जयपुर, दि.....
सुवि. लि. नि. ओ/नंदा.....
(1) सचिव, उच्च न्यायालय जयपुर (सर्वोच्च) .. जयपुर
(2) आवेदन सं./प्रीति/सु .. जयपुर
(3) प्रत्यक्षी/प्रीति/सु .. जयपुर
(4) कानून, जयपुर, जयपुर, जयपुर .. जयपुर
सूचना एवं आवश्यक कार्यवाही हेतु

22/12/2022
उप सचिव

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