

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH, JABALPUR

RA 52/04 in OA 350/2001

~~Indore,~~ this the 20th day of July 2004.

Coram

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

Prakash Dixit
S/o Shri Keshav Das Dixit
R/o Village Chhidadi
Tahsil Baldeogarh
Dist.Tikamgarh
Post Master Bijron Sub Post
Office Degota
Dist. Tikamgarh (MP)

Review applicant

(By advocate Shri R.K.Samaiya)

Versus

1. Union of India through
the Secretary
Department of Communication
Post and Telegraph
New Delhi.
2. Superintendent of Post Office
Chattarpur Division
Chattarpur (MP)

Respondents

(By advocate

O R D E R

By Madan Mohan, Judicial Member

This RA has been filed by the applicant in the OA to review the order of the Tribunal dated 16.3.2004 in OA No.350/2001. MA No.792/04 has been moved for condonation of delay in filing the RA, which is supported by an affidavit. MA is allowed. OA No.350/01 was dismissed by the Tribunal.

2. ~~In the present review~~ application, no clerical error or glaring mistake has been pointed out by the applicant. It is settled legal position that review proceedings are to be strictly confined to the ambit and scope of Rule 47 of the C.P.C. In exercise of the jurisdiction under Rule 47, it is not permissible for an erroneous decision to be re-heard and corrected. It must be remembered that review petition has a very limited purpose and cannot be allowed to be an appeal in disguise. The Hon'ble Supreme Court in Union of

2004

India Vs. Tarit Ranjan Das (2000 (4) SCC L&S 160 held that the Tribunal cannot act as an appellate court while reviewing the original order.

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

(Madan Mohan)
Judicial Member

(M.P. Singh)
Vice Chairman

aa.

पृष्ठांकन सं ओ/न्या.....जबलपुर, दि.....
पतिलिपि अवशिष्ट:-

(1) सचिव, उच्च न्यायालय बार एसोसिएशन, जबलपुर

(2) आवेदक श्री/श्रीमती/कु.....के काउंसल

(3) प्रत्यर्धी श्री/श्रीमती/कु.....के काउंसल

(4) वॉयपाल, के.प्र.अ., जबलपुर न्यायपीठ

सूचना एवं आवश्यक कार्यवाही हेतु

3-8-04

उप रजिस्ट्रार

Issued
On 3-8-04
BS

RK Samaiya
SC Sharma