

CENTRAL ADMINISTRATIVE TRIBUNAL

JABALPUR BENCH

Dated this the Tuesday the Twenty Eighth Day of September,
Two Thousand Four.

PRESENT:

The Hon'ble Mr. G. Shanthappa, Judicial Member.

RA. ⁸²/04 in
OA.595/2000

1. Union of India through
Secretary to Government of Railways,
New Delhi.
2. Divisional Manager, Central Railway,
Jabalpur.
3. Divisional Accounts Officer,
Central Railway, Jabalpur.
4. Divisional Manager, Central Railway,
Jabalpur. Applicants in RA.

versus

Harlal S/o Halkoo,
Retired Khalasi,
Central Railway, Jabalpur
at present r/o Rajendra Ward,
Railway Station, Gadarwara,
Tahsil Gadarwara, Distt.Narsinghpur. Respondent in RA.

ORDER (in circulation)

This RA has been filed by the respondents in the
OA to review the order passed by this Tribunal on 13.2.2004
in OA.595/2000. The RA is filed on 5.7.2004. After filing
the RA, the Registry has raised certain objections
including the delay in the RA. Consequently the applicants
have filed MA.819/2004 for condonation of delay in filing
the RA. Although this Tribunal has given sufficient oppor-
tunity to comply with other objections and posted before
the Bench on 6.8.2004, 13.7.2004, 20.7.2004 and 27.7.2004,
the applicants have not taken any steps to rectify the defects.
However, accepting the reasons mentioned in the MA, delay in
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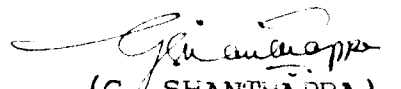


filing the RA is condoned.

2. The applicants have mentioned in the RA that the respondent has received payment of Rs,79,914/- vide cheque No.827190 dated 28.8.2000. This fact was not informed by the respondents in the OA, When the present applicants are aware of the said payment, they too did not inform this Tribunal at the time of appearing. The learned counsel for the respondents in the OA were present at the time of hearing and the application has been decided on merits.

3. In the present RA, no clerical error or glaring or earthshaking mistake has been pointed out by the applicants. It is settled legal position that the review proceedings are to be strictly confined to the ambit and scope of Order 47 Rule 1 of CPC. In exercise of the jurisdiction under Order 47 Rule 1 CPC, it is not permissible for an erroneous decision to be reheard and corrected. A review petition, it must be remembered has a limited purpose and cannot be allowed to be an appeal in disguise (See-Parsion Devi Vs. Sumitri Devi and Others, JT 1997(8) SC 480).

4. In view of the foregoing, I do not find any merit in this RA and is accordingly rejected at the circulation stage itself.


(G. SHANTHAPPA)
JUDICIAL MEMBER

/kam/

पूठकन सं ओ/न्या.....जवलपुर, दि.....

पतिदिनि: २०००/१२/०४

- (1) सतिव, सत्य ज..... जवलपुर
(2) अलेश्वर प्रो.पी.पी.पी. के पत्रसल
(3) सत्य नि.के/पी.पी.पी. के पत्रसल
(4) कल्याण. पी.पी.पी. के पत्रसल

सूचना एवं आवश्यक कार्यवाही हेतु

उप रजिस्ट्रार

*Forwarded
on
12/12/04*

BN Banerjee

5/1/05