

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.

O R D E R (in circulation)

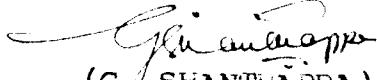
This RA has been filed by the respondents in the OA to review the order passed by this Tribunal on 13.2.2004 in OA.595/2000. The RA is filed on 5.7.2004. After filing the RA, the Registry has raised certain objections including the delay in filing the RA. Consequently the applicants have filed MA.819/2004 for condonation of delay in filing the RA. Although this Tribunal has given sufficient opportunity 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

filling 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 ~~not~~ 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 ~~or~~ ~~material~~ 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/

पृष्ठांकन सं. अे/व्या.....जवलपुर, दि.....

प्रतिदिनी दिनांक.....

(1) राधेश, राधा च. अ. व्या. जवलपुर

(2) शंकराचार्य, शंकराचार्य, अ. व्या. जवलपुर

(3) विजय, विजय, अ. व्या. जवलपुर

(4) दंशन, दंशन, अ. व्या. जवलपुर

सूचना एवं अपराधक वास्तविकी देखा गया

उप रजिस्ट्रर

Texted
12/10/04