

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**R.A. No.79/2007 In
O.A. No.1878/2003**

New Delhi, this the 24th day of April, 2007

**HON'BLE SHRI SHANKER RAJU, MEMBER (J)
HON'BLE MRS. NEENA RANJAN, MEMBER (A)**

Shri Brij Bhushan
Audit A/c No. 8307488
Who was working in the
Office of CDA (Army) Merrut Cantt.
R/o B-7/12, Lekha Nagar,
Roorkee Road, Meerut Cantt.Applicant.

Versus

1. Union of India through Secretary,
Ministry of Defence,
South Block,
New Delhi.
2. The Financial Advisor (Defence Services)
Government of India,
Ministry of Defence,
Finance Division,
New Delhi.
3. The Controller General of Defence Accounts,
West Block-V,
R.K. Puram,
New Delhi.
4. The Principal Controller of Defence Accounts,
(SC) Poona.
5. The Controller of Defence Accounts (Army),
Meerut Cantt.
6. Shri Mayank Sharma working as Dy. CGDA (AN)
in the office of CGDA, West Block-V,
R.K. Puram, New Delhi.
7. Shri Arvind Kaushal
Joint CGDA (AN) in the office of CGDA,
West Block-V, R.K. Puram,
New Delhi. ...Respondents

ORDER BY CIRCULATION

 **By Hon'ble Mrs. Neena Ranjan, Member (A)**

The present RA has been filed by the review applicant seeking review of our
order dated 14.2.2007 passed in OA 1878 of 2003.

2. In the RA, the applicant has prayed for a direction to call for the answer books of the applicant and investigate into the manipulations done by respondents No.6 and 7 in the evaluation of the answer books of the applicant of SAS Part-II Examination held in November-December, 2002. We have dealt with all the issues raised in the RA in detail in the OA. As such, applicant is estopped from raising this issue in the RA. By means of this RA, applicant wants to re-agitate the whole case again, which is not permissible.

3. We have perused the relevant record and order dated 14.2.2007 and do not find any mistake or error apparent on the face of the record nor is there discovery of new and important material. No new evidence has been produced in this review application even after exercise of the due diligence. If the review applicant is not satisfied with the order passed by the Tribunal, remedy lies elsewhere. The Apex Court in Union of India Vs. Tarit Ranjan Das, 2004 SCC (L&S) 160 observed as under:-

“13. The Tribunal passed the impugned order by reviewing the earlier order. A bare reading of the two orders shows that the order in review application was in complete variation and disregard of the earlier order and the strong as well as sound reasons contained therein whereby the original application was rejected. The scope for review is rather limited and it is not permissible for the forum hearing the review application to act as an appellate authority in respect of the original order by a fresh order and rehearing of the matter to facilitate a change of opinion on merits. The Tribunal seems to have transgressed its jurisdiction in dealing with the review petition as if it was hearing an original application. This aspect has also not been noticed by the High Court”.

3. Having regard to the above, RA is dismissed.

NR Ranjan

(Mrs. Neena Ranjan)
Member (A)

Rakesh

S. Raju

(Shanker Raju)
Member (J)