

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

R.A. NO.167/2004
IN
O.A. NO.1411/2003

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New Delhi, this the 15th day of July, 2004

HON'BLE MR. SARWESHWAR JHA, MEMBER (A)

In the matter of:

Ms. Sushma Tyagi ... Review Applicant

vs.

Union of India & Ors ... Respondents

ORDER (In Circulation)

The applicant has filed this RA seeking review of the order of the Tribunal in OA No. 1411/2003 as passed on the 21st January, 2004, a copy of which is annexed as RA/1.

2. On perusal of the said order of the Tribunal, it is observed that all aspects of the matter including the ones as have been brought out by the applicant in the RA including the facts relevant to them and as submitted by the applicant in the OA had been taken into account while passing the said order. I do not thus find any error apparent on the face of the record nor have I come across any new material having been submitted by the applicant in the RA which were not available before the Tribunal at the time of final hearing.

3. Further, on a very careful perusal of the RA, I find that the review applicant has sought to reargue the case by way of this RA, and which is not permissible. The RA is also not maintainable as per the provisions of

S. Jha

(2)

Section 22 (3) (f) of the Administative Tribunals Act, 1985 read with Order 47, Rule (1) of CPC and also in view of the ratio laid down by the Hon'ble Apex Court in K. Ajit Babu & Others v. Union of India & Others, JT 1997 (7) SC 24 as well as Lilly Thomas v. Union of India, (2000) 6 SCC 224. If the review applicant is not satisfied with the orders as passed by the Tribunal in the said OA, she will have liberty to proceed in the matter as per law.

4. The RA is accordingly, dismissed in circulation.



(SARWESHWAR JHA)
MEMBER (A)

/pkr/