



	<p>applicants, this order was passed by this Tribunal on the basis of wrong averments of the applicant only without any proof or evidence and therefore, the order should be reviewed.</p> <p>The submissions of Mr. Biswas is resisted by Mrs. Maitrayee Trivedi Dasgupta, Id. adv. for the original applicant who has supported the order and pointed out that the Tribunal even expunged the allegations made by the applicant in the OA against the commanding officer and decided the matter on limited ground as stated in page 2 of the order itself.</p> <p>A Court or Tribunal can review its own order in terms of Order 47 Rule (1) of CPC on fulfillment of the conditions laid down therein. Such conditions are - when there is an error apparent on the face of the record or order to be reviewed or when new and important evidence is produced which could not be produced earlier at the time of the hearing of the main application in spite of exercise of due diligence or for any other valid reasons.</p> <p>On going through the grounds stated in the R.A. and after hearing the submissions of both parties, we find that no error apparent on the face of the order has been pointed out nor any new evidence has been produced which could not be produced earlier. It appears that the grounds adduced are vague and imaginary. In fact, the grounds stated in the R.A. may be grounds for appeal because they have in effect contended that the Tribunal has erred in issuing the directions while disposing of the OA. It is to be noted that the order was passed in open court in presence of both sides and no objection was raised by the respondents at that time. Now, it is not open to them to challenge the order through this review petition. It is well settled that in the garb of review, a re-hearing of the matter</p>
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	<p>cannot be claimed. If the respondents are not satisfied with the order, their remedy lies in approaching appropriate higher forum for appropriate orders. A review is not permissible in such cases.</p> <p>In view of the above, the R. A. is liable to be dismissed being devoid of any merit and accordingly the same stands dismissed. No cost.</p> <p>Let a plain copy of the order duly countersigned by the Tribunal Officer be furnished to both sides on observance of due formalities.</p> <div><div>(LT. GEN K.P.D.SAMANTA) MEMBER(A)</div><div>(JUSTICE RAGHUNATH RAY) MEMBER(J)</div></div>
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