

2

Central Administrative Tribunal, Principal Bench

Review Application No.213 of 2003 in  
Original Application No.2599 of 2002

New Delhi, this the 1<sup>st</sup> day of August, 2003

Hon'ble Mr. Justice V.S. Aggarwal, Chairman  
Hon'ble Mr. V.K. Majotra, Member(A)

Shri R.K. Kapoor,  
S/o late Shri R.D. Kapoor,  
R/o 29-B, Pocket-A,  
D.D.A. Flats,  
Ashok Vihar (Phase-III)  
Delhi

.... Applicant

Versus

1. Union of India, through  
The Secretary  
Ministry of Finance,  
Department of Revenue,  
North Block,  
New Delhi-1
2. Chairman  
Central Board of Direct Taxes  
Department of Revenue,  
Ministry of Finance,  
North Block,  
New Delhi-1
3. The Chief Commissioner of Income Tax,  
Income Tax Department,  
Central Revenue Building,  
New Delhi-1

.... Respondents

O R D E R (In Circulation)

By Justice V.S. Aggarwal, Chairman

Applicant had preferred O.A.2599/2002. It was decided on 23.5.2003. The applicant had prayed, besides other reliefs, for release of his gratuity and leave encashment.

2. This Tribunal had considered the said controversy and concluded that applicant is entitled to leave encashment which should be released to him but not the gratuity amount.



3. By virtue of the present application, the applicant seeks that while leave encashment has been directed to be released, interest has not been allowed and secondly he is entitled to the release of the gratuity.

4. Review would only be permissible if there is any error apparent on the face of the record. The error apparent on the face of the record is one which could be detected without detailed arguments.

5. In the present case, on consideration of the facts and submissions, view point had been expressed which we have already indicated above. When there is no mention of the interest, it is deemed to have been refused. As regards the question of release of gratuity, the matter in question had been gone into and as already referred to above, it has been declined.

6. We find that there is no error apparent on the face of the record. Review application must fail and is dismissed.

V.K. Majotra

( V.K. Majotra )  
Member(A)

V.S. Aggarwal

( V.S. Aggarwal )  
Chairman

/dkm/