

Central Administrative Tribunal
Principal Bench: New Delhi

(22)

RA-180/2002 in
MA-1763/2002
OA-2172/2001

This the 9th day of December, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)
Hon'ble Shri V.K. Majotra, Member (A)

Union of India and others

-Review Applicants

(By Advocate: Mrs. Jasmine Ahmed)

Versus

Nai Narain

-Respondent

(By Advocate: Shri J.C. Madan, proxy for
Shri G.S. Chaman)

ORDER(Oral)

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)

We have heard Mrs. Jasmine Ahmed, learned counsel for review applicants in RA-180/2002. Shri G.S. Chaman through learned proxy counsel Dr. J.C. Madan, learned counsel has submitted that he has nothing to say in the matter.

2. In Review Application, the review applicants in RA-180/2002 have stated in paragraph-2 that provisional pension has been paid to the original applicant w.e.f. 1.6.1994 to 28.2.2002 at certain rates mentioned therein. It is also relevant to note that respondents/review applicants have also stated in paragraph-3 that the facts were not in their knowledge despite due diligence, although, it appears according to their own averments, they have already paid the applicant's due monthly pension, which is stated to be equivalent to the final pension w.e.f. 1.6.94.

JS.

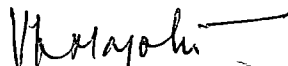


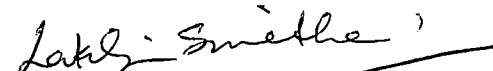
3. In the counter affidavit filed by the respondents to OA, they have also referred to the payments made to the original applicant by way of provisional pension during the relevant period.

4. In this view of the matter, we do not find any error apparent on the face of the record to allow RA-180/2002 or any other sufficient ground as provided under Section 22 (3)(f) of the Administrative Tribunals Act, 1985 read with provisions of order-XLVII Rule (1) of CPC justifying allowing the RA. Incidentally, it may also be pointed out that learned proxy counsel for applicant has also submitted that nothing further is due to the applicant.

5. For the reasons given above, RA-180/2002 fails and is dismissed.

6. In the circumstances, MA-1763/2002 is also disposed of.


(V.K. Majotra)
Member (A)


(Smt. Lakshmi Swaminathan)
Vice-Chairman (J)

cc.