

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA No.8/2000 in OA No.2343/98

New Delhi, this 27th day of January, 2000

Hon'ble Shri Justice V. Rajagopala Reddy, VC(J)
Hon'ble Smt. Shanta Shastry, Member(A)

S.D. Prasad
Q-3-2, Sector XIII
R.K.Puram
New Delhi-110 066

.. Applicants

(By Shri R.P.Kapur, Advocate)

versus

Union of India, through

1. Secretary
Department of Urban Development
Nirman Bhavan, New Delhi

2. Director General of Works
CPWD, Nirman Bhavan
New Delhi

.. Respondents

ORDER(in circulation)
Hon'ble Smt. Shanta Shastry

This review application has been filed on behalf of the applicant seeking review of the judgement and order dated 3.12.99 by which OA No.2343/98 was allowed with a direction to the respondents to grant arrears of pay and allowances to the applicant from 15.5.91 i.e. deemed date of promotion within a period of 3 months.

2. It is the contention of the review applicant that his prayer for payment of interest @ 18% on arrears of pay and allowances has not been considered and therefore there is an error on the face of record.

3. It is pertinent to mention here that after hearing both the parties and perusing carefully the material available on record, we felt that the main point at issue was whether the applicant is entitled to the

(19)

arrears of pay and allowances from the deemed date of promotion i.e. 15.5.91 and thereafter the OA was disposed of accordingly as per the direction mentioned therein. It is also an admitted fact that the applicant was allowed notional pay fixation by the respondents from the deemed date of promotion. Though we considered his prayer for payment of interest on the arrears, we did not find it a fit case to allow interest in the facts and circumstances of the case. Thus we do not find any error apparent on the face of record that would warrant review of our judgement.

(20)

4. That apart, it would be pertinent to reiterate here that the scope of review is very limited. The Tribunal under Section 22(3)(f) of the Administrative Tribunals Act, 1985 read with the provisions of Order 47, Rule 1 of CPC exercises the power of review if there is (1) discovery of a new and important piece of evidence, which inspite of due diligence was not available with the review applicant at the time of hearing or when the order was made; (2) an error apparent on the face of the record or (3) any other analogous ground. Since none of these ingredients is available in the present RA, the same deserves to be dismissed. We do so accordingly.

Shanta S.

(Smt. Shanta Shastry)
Member(A)

V. Rajagopala Reddy

(V. Rajagopala Reddy)
Vice-Chairman(J)

/gtv/