

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

R.A.NO.224/95 in

D.A.NO.1840/94

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New Delhi, this the 30th day of August, 1995

Hon'ble Shri J.P. Sharma, Member(J)

Shri R.N. Jain,
Head Clerk,
Central Store Division,
Central Water Commission,
West Block No.1, Wing No.4,
IIInd Floor, R.K. Puram,
New Delhi.

R/o House No. I/2, Gali No.10,
Brahampuri, Delhi.

... Applicant

Vs.

1. Union of India, through
Secretary to Govt. of India,
Ministry of Water Resources,
Shram Shakati Bhawan,
New Delhi.

2. The Chairman,
Central Water Commission,
Sewa Bhawan, R.K. Puram,
New Delhi.

... Respondents

O R D E R

The relief claimed for by the applicant was in the original application filed in September, 1994 that his pay and allowances for the period 1.8.81 to 18.10.90 has been delayed and were paid in October, 1992 and he should be allowed interest on the delayed payment of pay and allowances. He has also prayed for payment of double H.R.A. from 1.11.83 to 31.12.92. The payment of double HRA has been considered by the respondents but regarding the payment of interest on unpaid salary in view of the decision of Hon'ble Supreme Court in the case of UOI Vs. Dr. J.P. Goyal reported in 1995 (3) SCALE 550 it was disallowed. In this Review Application again the same points have been raised that the interest on delayed payment of pay and allowances should have been allowed. In the

Review application, again same points have been pressed and the authority of Dr.J.P. Goyal as sought to be distinguished and a reliance has been placed for award of interest on gratuity and leave encashment. In the present case, the question was payment of pay and allowances so the reliance placed by the review applicant on the authority of Kerala Administrative Tribunal though pertains to gratuity and leave encashment cannot give any benefit to the applicant for reviewing the judgement.

A review lies only showing that there is an error apparent on the face of the judgement or any evidence which the applicant wants to be again read was not placed earlier at the time of hearing with due diligence. The case of the applicant is not covered by any of the grounds. The arguments advanced in the Review application have already been discussed in the body of the judgement. A review cannot be for rehearing of the case.. The Review application is therefore dismissed as devoid of merit by circulation.

J.P. Sharma
(J.P. SHARMA)
MEMBER(J)

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