

Central Administrative Tribunal, Principal Bench

R.A.No.90/97 in O.A.No.1541/96

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this 11th day of April, 1997

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Shri H.R.Khokhar
retired Senior Loco Inspector
Northern Railway
Diesel Shed
Tughlakabad
r/o A-8, Vishnu Garden
Baghera Road
Gurgaon(Haryana).

... Applicant

Vs.

1. Union of India through
Ministry of Railways
Railway Board
New Delhi.
2. The General Manager
Northern Railway
New Delhi.
3. The Divisional Railway Manager
Northern Railway
New Delhi.

... Respondents

O R D E R (By Circulation)

I have carefully gone through the Review Petition No.90/97. The review applicant submits that the interest which as per the impugned judgment had been given from 25.3.1994 should have been paid from 13.1.1987. The RA contains the grounds in support of this contention.

2. It is seen that the applicant in OA No.1541/96 had made the same plea. The impugned order gives the reasons as to why payment of interest could not be allowed from 13.1.1987 as the period prior to the Judgment in OA No.3252/92 comes within the ambit of constructive res-judicate. However, taking that the delay in payment, after the judgment in O.A.No.3252/92, constituted a separate cause of action, payment of interest subsequent to that Judgment was considered and allowed. The review petitioner has adduced no grounds whatsoever to show as to what is the

patent error of either law or fact which has occurred in the impugned order. The mere repetition of the same ground which was covered in the main OA, does not provide in itself any scope for a review. If the applicant is not satisfied with the impugned order, his remedy lies through an appeal and not by way of review.

(11)

3. For the aforesaid reasons, I find no merit in the review application. The same is dismissed. No costs.

R. K. Ahuja
(R.K. AHUJA)
MEMBER(A)

/rao/