

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

R.A. No. 54/98
in
O.A. No. 1316/97

(12)

New Delhi this the 20th Day of March 1998

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

Shri Dina Nath Rajpal,

AE Retd.

Son of Late Shri Khem Chjand Rajpal,

Resident of N-83 Kirti Nagar,

New Delhi-110 0015

Petitioner/
applicant

-Versus-

1. Union of India, through
Secretary,
Ministry of Defence,
New Delhi-110 001.
 2. Controller General of Defence Accounts,
Sector-1, Block II, R.K. Puram,
New Delhi-110 060.
 3. Shri S.K. Jain, Sr. AO Funds,
JCDA Funds, Meerut Cantt. through
CGDA, R.K. Puram, New Delhi.
 4. Chief Engineer,
Delhi Zone,
Delhi Cantt-110 010.
- Respondents

ORDER (By Circulation)

The petitioner/applicant has sought a review of the order in OA No. 1316/97 to the extent that certain reliefs sought by him were not taken note of.

2. The case of the petitioner in OA was that the respondents had delayed the payment of GPF dues on the basis of wrong calculations and reductions. The OA was allowed and interest @ 18% on the dues was directed to be paid to the applicant from the date of his retirement to the date of actual payment deducting the interest already paid thereon.

Om

3. The petitioner now submits that, he had by mistake stated in his OA that a sum of Rs. 2119/- had been paid to him but after perusing the counter reply he had discovered that the amount was actually Rs. 2809/- and the same was still outstanding. He had therefore sought the relief payment of this amount with interest in his rejoinder but the Tribunal by mistake overlooked this point. Secondly, it is submitted that he had also sought suitable orders against JDCA (Funds) Meerut Cantt and Shri S.K. Jain, Sr. AO Funds for their deliberate malafide intentions but here also the Tribunal overlooked his prayer and passed no orders. (13)

4. I have considered the matter carefully. The applicant cannot go beyond the relief sought for in the main OA without the permission of the Court. The mistake, as the petitioner fairly states has been on his part, and not on the part of the Tribunal. In so far as the second point raised by the petitioner is concerned, in regard to action against the officers of the respondents, since there is no order the implication is that the prayer has been rejected. In service matters the imposition of penal interest is in itself a punitive measure and it is upto the respondents to see for themselves as to what action they might take for fixing responsibilities for the financial loss incurred.

5. In the light of the above discussions, I do not find that there is any error patent on the face of the record, either of fact or law which would warrant a ^{review} ~~typographical review~~ of the order. However, I find that there has been error in the last line of para 5 of the order which reads as follows:

"This will be done within few months from ¹⁴the receipt of a copy of this order".

6. The period was meant to be not few months but four months. The typographical error is ordered to be corrected and the direction would read " This will be done within four months from the receipt of a copy of this order".

7. Subject to the above typographical correction, this RA is dismissed. A copy of this order be supplied to both ^{to} parties.

R. K. Ahuja
(R. K. Ahuja)
Member (A)

Mittal