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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

RA No. 89/99 IN
OA No. 636/97

New Delhi, this the 15 day of June 1999

HON'BLE SHRI R.K. AHOOJA, MEMBER (A)

In the matter of:

Shri M.M. Aggarwal
s/o late Sh. B.D. Aggarwal
Flat No. 117
Amarjyoti Apartments
Mayur Vihar Ph. I
Delhi - 110 091.

... Applicant

Vs.

Union of India through

1. Secretary,
Dept. of Defence Production & Supplies,
Ministry of Defence,
South Block,
New Delhi-110011.
2. Chairman & DGOF
Ordnance Factory Board,
10-A, Auckland Road,
Calcutta-700001.
3. General Manager,
Metal & Steel Factory,
Ishapore-743144, Nawabganj,
24, Parganas (West Bengal)
4. Chief Controller of Accounts (Fys)
10-A Auckland Road,
Calcutta-700001.
5. Chief Controller of Defence
Accounts, Pensions,
Draupadi Ghat,
Allahabad-211014.

O R D E R (BY CIRCULATION)

The applicant, a class-I officer belonging to the Indian Ordnance factory Service had after his representation against a transfer order was rejected, submitted a request for voluntary retirement. On the expiry of the notice period he had sought the release of his retiral benefits but the same were not allowed. He thereafter approached this Tribunal in OA No. 1764/90 and

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the Tribunal by its order dated 17.5.94 gave a declaration that the applicant shall be deemed to have voluntarily retired from service w.e.f. 2.5.90 and that he would be entitled to pensionary benefits on that basis. The Tribunal also took cognizance of the fact that disciplinary proceedings were pending against the applicant. Since the respondents subsequently did not grant him interest payment for the delay on release of GPF, CGEGIS, DCRG, provisional pension, leave salary, leave encashment, etc. he approached the Tribunal in the second round by OA No.636/97. By the order dated 19.2.99 the OA was partly allowed with a direction to the respondents to make payment of 12% interest for the period the GPF, gratuity and leave encashment of the applicant was withheld.

2. The applicant/review petitioner now submits that no orders have been passed by the Tribunal in the aforementioned decision regarding the remaining reliefs sought for by him. He points out that the Tribunal in its order has disallowed reliefs in respect of penal rate of interest imposed on the applicant against the TA/DA advance, correction/rectification of discrepancy of 60 days half pay leave, interest on delayed payment of provisional pension but no orders were given on claim of interest on delayed payment of CGEGIS point, leave salary and interest on interest amount withheld.

3. I find that the Tribunal had mentioned all the reliefs sought for by the applicant. As pointed out by him some of the reliefs were allowed while others were rejected. The applicant impugns the order on the ground

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that three of the reliefs sought for by him have not been specifically dealt with and findings given and that it indicates that there is no application of mind by the Tribunal on those issues.

4. The finding of the Tribunal as well as the orders required have been indicated in the judgment. Where no relief has been indicated, it clearly means that the prayer of the applicant has been rejected. It is not necessary that each and every point raised by the applicant must be answered. Since all the major issues raised by the applicant have been dealt with in the impugned order, I do not find merit in the contention of the petitioner that the impugned order requires a review. RA is accordingly dismissed.

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

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