

(16)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

R.A.No. 307/92
in
O.A.No. 812/87.

BHAGAT RAM
v/s
UNION OF INDIA & ORS.

In this Review Application the applicant has asked for review of the Judgement delivered orally on 14.7.1992 in O.A. No. 812/87. The Review Application has been perused. The applicant had asked for multiple reliefs in his original application. In the course of arguments the applicant, who appeared in person, pressed for consideration of two issues namely recovery from Death-cum-retirement gratuity to the extent of Rs. 4,178/- and non-payment of interest on delayed payment to DCRG. By a review application, the applicant cannot raise the question of granting other reliefs.

2. Regarding recovery from DCRG, the Bench referred to the counter where it was mentioned that the applicant was in unauthorised occupation of Government quarter from 31.8.81 to 9.6.1985. The details

(19)

such as the transfer of the applicant by letter dated 14.7.1981, rejection of his appeal for cancellation of transfer on 31.7.1981, his ^{release} relief _{rel} on ^{6.8.81} 6.8.1981, his refusal to accept the letter of _{rel} transfer etc. are given in the counter.

3. Regarding interest on delayed payment, it has already been observed that the respondents should have calculated his dues within one month of his vacation ^{ng} _{rel} of ^{the} quarter and after due reduction the DCRG should have been paid to him. Therefore, interest was allowed at the rate of 12% per annum from 9.7.1985 to 2.3.1986.

4. There are definite limits to the exercise of the power of review. The power of review may be exercised on the discovery of new and important matters or evidence which after the exercise of due diligence was not within the knowledge of the person seeking the review or could not be produced by him at the time when the order was made; it may be exercised where some mistake or error apparent on the face of the record is found; it may also be exercised on any

analogous ground. But it may not be exercised on the ground that the decision was erroneous on merit. That would be the province ^{of} a court of appeal.

5. In the above view of the matter, we do not find any merit in the review application which is dismissed.

I. P. Gupta
(I.P. Gupta)
Member (A)

28/10/92

Hon'ble Mr. Justice Ram Pal Singh.

Ram Pal Singh
20.10.92.