

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

RA No. 44/89
in OA No. 1591/88

Date: 26-5-89

Shri H.K. Bhardwaj

...Petitioner

Vs.

Union of India & Others through
the Controller of Accounts,
Ministry of External Affairs,
Akbar Bhawan, Chanakya Puri,
New Delhi.

....Respondents

CORAM:

THE HON'BLE MR. P.K. KARTHA, VICE CHAIRMAN(J)

THE HON'BLE MR. D.S. MISRA, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the judgment? *Yes*
2. To be referred to the Reporters or not? *No*

JUDGMENT

(The judgment of the Bench delivered by Hon'ble Mr. P.K. Kartha, Vice Chairman(J))

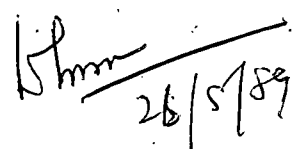
The review petition has been filed by the original applicant in OA No. 1591/88 praying that the Tribunal's judgment dated 23.12.1988 be reviewed and that the respondents be directed to pay Rs. 2748/- to him along with interest due thereon.

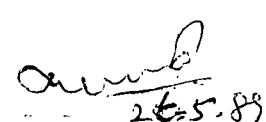
2. In OA No. 1591/88, the applicant had sought a direction

12

to the respondents to arrange payment of Rs.2,748/- wrongfully deducted from the Death-cum-Retirement Gratuity payable to the applicant along with interest from the date when payment was due. On going through the records and after hearing the learned counsel of both parties, the Tribunal had come to the conclusion that the applicant failed to comply with the instructions contained in the Ministry of External Affairs letter dated 29.1.1961 regarding carriage of excess baggage by air by officers and members of staff and, therefore, caused a loss equivalent to 120 Kgs. of air fare to the Government. The Tribunal was also of the opinion that the action of the respondents in deducting the amount from the gratuity of the applicant did not suffer from any illegality. Therefore, the Tribunal found no merit in the application and the same was dismissed.

3. We have carefully gone through the present petition and we do not see any error apparent on the face of the judgment dated 23.12.88. The petitioner has also not brought to our notice any new fact warranting a review of the judgment. If the petitioner is aggrieved by the decision of the Tribunal, the proper course for him would have been to file an appeal in the Supreme Court against the judgment instead of filing a review petition. We see no merit in the present petition and the same is rejected.


(D.S. MISRA)
ADMINISTRATIVE MEMBER


(P.K. KARTHA)
VICE CHAIRMAN(J)