

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Review Application No.35/6 of 1994

In

Original Application No. 1464 of 1992

Allahabad this the 18th day of January, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)

Dr.J.K. Goyal Applicant

By Advocates Dr.R.G. Padia
Shri P. Padia.

Versus

Union of India and
Others Respondents

By Advocate Shri A. Sthalekar

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

Dr.J.K. Goyal has preferred this review application in O.A.No.1464 of 1992 decided by the Hon'ble Mr.Justice R.K. Verma, the then Vice Chairman of this Bench on 22.4.1994, and has requested that the matter be reviewed and the applicant be held entitled to get interest on the amount of award which was paid to him belatedly.

2. During the course of arguments,

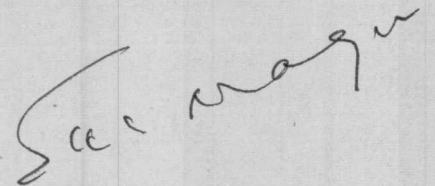
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Shri Prakash Padia, learned counsel for the applicant referred the order of this Tribunal in O.A. No. 849 of 1993 in which the interest was provided to the applicant and has pressed that under similar circumstances in this matter under review, the interest shall also be fixed and provided to the applicant. Shri Amit Stahalekar learned counsel for the respondents has serious reservation against this review application and has pressed that not providing the interest amounts decline by the Court against which the recourse is not review but the forum is appeal. He has also took me with the observation of Hon'ble Apex Court in Civil Appeal No.5446/97 Union of India vs. Jugal Kishore Goyal decided on August 8th, 1997 in which it has been observed that "there was no provision in law under which interest could be granted." He has also presented before me the decision by the Hon'ble Apex Court in Civil Appeal No.5380 of 1995 arising out of S.L.P.(Civil) No.898 of 1995 reported in 1995(Vol.30)A.T.C.614(S.C) which has been preferred against O.A.No.849 of 1993 of this Bench, on the basis of which the learned counsel for the applicant borrowed the strength to claim the interest in this matter as well. In that S.L.P., the Hon'ble Apex Court decline to maintain provision for the interest allowed by the Tribunal.

See margin

3. In the review application, there is very limited scope to reconsider the decision made earlier and with the observation that no order as to interest amount decline of the prayer, which cannot be granted through the review application. With this observation, the review application is dismissed.



Member (J)

/M.M./