

BY CIRCULATION

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the ^{9th day} ~~12th~~ day of ^{July} ~~June~~ 2002.

QUORUM : HON. MR. S. DAYAL, A.M.

Rev. No. 52 of 2002 in O.A. No.1458 of 1998.

Union of India & others..... Applicant.

Counsel for applicant : Sri A.K. Gaur.

Versus

Smt. Malti Devi..... Respondents.

ORDER

BY MR. S. DAYAL, A.M.

This review petition has been filed by the Union of India and Another, who were respondents in O.A. No.1458/98 with the prayer that the direction given by this tribunal in the O.A. for payment of Rs.5000/= towards compensation and Rs.650/= towards the cost of the application should be reviewed and dropped.

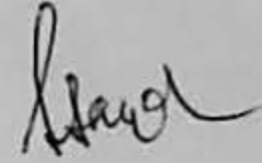
2. I had in the said O.A. mentioned that the applicant had superannuated on 31.5.84. After his superannuation, the pay of the applicant had been calculated after adding 55% as running allowance instead of adding 75% as running allowance. A perusal of the order dated 16.2.01 shows that the applicant had sought the payment of arrears with 18% interest. It was a clear finding of the bench of the tribunal that the payment of arrears to the applicant was late and instead of awarding interest, which would have delayed the payment to the applicant, compensation has been awarded in view of the interest which would have been required calculation and delayed payment to the applicant.

3. The review is sought on the ground that the respondents have agreed to pay difference of D.C.R.G. and commutation of pension to the applicant and the same have already been paid. The fact of payment of these amounts do not take away the right of the applicant to receive an

amount by the compensation for delayed payment.

4. A review is permissible only for removing an error apparent on the face of record or for considering evidence discovered after delivery of judgment as it was not despite all precaution possible for the respondents to produce the same at the time of hearing of the O.A. There is no such case here.

5. Therefore, in any ~~xx~~review^{of the}/matter, the review petition lacks merits and is dismissed. There shall be no order as to costs.


A.M.

Asthana/
17.6.02