

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW.

Review Application No. 32/2006 In O.A. NO:463 /2001 (S.B)

Lucknow this, the 19 day of May 2008.

Hon'ble Mr. M. Kanthaiah, Member(J)

Girish Chandra Pandey, aged about 66 years, son of Late Kulomani Pandey, resident of Village Kania, Post Officer Ram Nagar, District Nainital.

By Advocate: None

Applicant.

Versus

1. Union of India through the General Manager, Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway, Hazratganj, Lucknow.
3. The Senior Divisional Personnel Officer, Northern Railway, Hazratganj, Lucknow.
4. The Senior Divisional Commercial Manager, Northern Railway, Hazratganj, Lucknow.
5. The Senior Divisional Accounts Officer, Northern Railway, Hazratganj, Lucknow.

Respondents.

BY Advocate: Sri Azmal Khan.

Order By Circulation

By Hon'ble Mr. M. Kanthaiah, Member(J):

The applicant has filed the review application with a prayer to review the orders of the Tribunal dated 3.8.2006 for modification to issue directions to the respondents for payment of penal interest on withholding of leave encashment amount of Rs. 94,696/- w.e.f. 1.8.2000 till the date of actual payment.

2. The applicant has filed R.A. on 1.9.2006. The matter has been taken up in circulation.

3. The admitted facts of the case are that the applicant has filed original application with a prayer to issue directions to the respondents for release of his provisional pension w.e.f 1.8.2000 along with arrears and interest thereon and also release of leave encashment amount along with interest. After completion of pleadings and after hearing both sides, this Tribunal partly allowed the claim of the applicant in respect of payment of interest on monthly pension of the applicant for August 2000 to September, 2001 @ 6 % per annum and also to release and pay the amount of Rs. 94696/- towards leave encashment. Against the said order dated 3.8.2006, the applicant has filed the present review application claiming interest on the leave encashment of amount of Rs. 94,696 stating that the Tribunal has not awarded interest on such amount.

4. The scope of the review is very limited that is only to the extent of typographical or arithmetical mistakes, if any, which are of the face <sup>or</sup> of the record. But the claim of the applicant is to review the orders of the Tribunal in respect of his claim for interest on the leave encashment which the Tribunal did not award in its orders. Reviewing for reconsideration of such issue is not within the scope of review and it has to be taken only by an appeal and as such, the claim of the applicant for reconsideration of his claim in respect of interest on leave encashment amount by way of review is not at all maintainable and further which is behind the scope of the review and as such, the same is not maintainable.

In the result, Review Application is rejected.

(M. Kanthaiah)

Member (J)

19.05.2008