

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GULESTAN BLDG.No.6,PRESCOT RD,4TH FLR,

MUMBAI - 400 001.

Review Petition No.33/97 in

Original application No.61/96.

Dated this 16th DAY OF MAY, 1997.

Coram : Hon'ble Shri B.S.Hegde, Member (J).

1. Union of India, Ministry of Personnel,  
Public Grievances and Pensions, Department  
of Pension and Pensioner's Welfare, New Delhi.

2. Additional Secretary,  
Ministry of Steel & Mines,  
Department of Mines,  
Shastry Bhavan,  
New Delhi .

3. Director General,  
Geological Survey of India,  
27, J.L.Nehru Road,  
Calcutta - 700 016.

4. Deputy Director General,  
Geological Survey of India,  
Seminary Hills,  
Nagpur -440006.

... Review Petitioners  
(Original respondents)

v/s.

Shardul Ramchandra Ingle,  
Ward No.45,  
Mata Nagar Chowk, Bhiwapur Ward,  
P.O.Lalpeth,  
Dist. Chandrapur.

... Non-applicant  
(Original applicant)

{ ORDER BY CIRCULATION }

{ Per Shri B. S. Hegde, Member (J) }


The respondents have filed review petition, seeking review of judgement dated 24/1/97. This review application has been filed by the respondents department, there is a delay of 7 days in filing the same. Applicant has retired from service on 31/3/1988. Since he has not been paid his pension arrears, gratuity, commuted value of pension and the amount of CGEGIS. After considering the rival contention of the parties, the Tribunal had directed the respondents to pay interest alongwith dues payable to the applicant till the date of payment of various amounts @ 12% on the delayed payment of

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retiral benefits within three months from the date of receipt of copy of the order. The respondents have filed their reply on 24/1/97. At the time of the disposal of OA, reply was not available on record. The only contention raised in the review petition is that applicant's counsel refused to accept the reply given by the respondents stating that the case has already been disposed of. Therefore, the Tribunal had not considered the reply and passed an ex-parte order which was not justified. Hence, there is an error apparent on the face of the record which needs to be rectified for rejecting the matter at admission stage.

2. Even in the reply, they have only stated the administrative delay in filing the reply, nowhere it is commented upon the directions of the Tribunal in granting interest for the delayed payments. Since the respondents have not made out any case for our interference in the review petition, it is presumed that they have made the payments to the applicant as per the directions of the Tribunal.

3. There is no scope for review of the order passed by the Tribunal. Admittedly, the delay is on the part of the respondents making appropriate calculation in granting retiral benefits. In the result, I do not find any merit in the review petition and the same is dismissed by circulation.

  
(B. S. Hegde)  
Member(J).

abp.

Order/Judgement despatched  
to Applicant/Respondent(s)  
on 28/5/97

29/5/97