

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, MUMBAI.

Review Petition No.25/99  
in  
Original Application No.93/96.

Coram: Hon'ble Shri Justice R.G.Vaidyanatha, Vice-Chairman,  
Hon'ble Shri D.S.Baweja, Member(A).

1. R.S.Peswani,  
D-13,Natraj Co-op. Hsg. Society,  
Nav Pada,  
Thane - 400 602.
2. Jagdish Prasad Tandon,  
D-4, Natraj Co-op. Hsg. Society,  
Nav Pada,  
Thane - 400 602.
3. Mirza Shahenshah Raza,  
E/103, 1st Floor,  
Tanwar Nagar,  
Bombay Pune Road,  
Kausa (Mumbra),  
Dist. Thane.

...Petitioners.

Vs.

1. Union of India  
through the General Manager,  
Central Railway,  
Bombay V.T.,
2. Railway Board,  
Ministry of Railways,  
Rail Bhavan,  
New Delhi.

...Respondents.

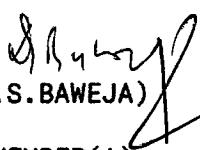
: ORDER ON REVIEW PETITION BY CIRCULATION : Dt. 2.8.99.

This is a Review Petition filed by the applicants for reviewing our order dt. 15.2.1999. We have perused the contents of the Review Petition and the entire case papers.

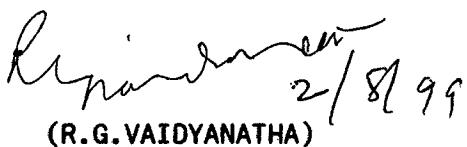
2. By order dt. 15.2.1999 we have allowed the application of the Review Petitioners partly by granting refixation of pension, but arrears granted only for a period of three years prior to the

date of filing of this application. We have made specifically clear in our order that the previous arrears and other benefits cannot be granted. We have referred to the Judgments quoted by the applicants' counsel which is again repeated in the Review Petition and we have taken into consideration the observations of the Supreme Court in M.R.Gupta's case (1995 SCC (L&S) 1273) and applied the bar of limitation only to arrears and past benefits. We have only granted increase in higher pension and arrears only for the period of three years prior to the date of filing of the application. Now, the applicants want other retirement benefits and increase of pension from the date of superannuation which cannot be now granted by reviewing our order. We do not find any apparent error in our order. After hearing both sides and after considering the question of limitation, we have granted reliefs partly restricting the arrears and enhancement of pension only to three years prior to the date of filing of this O.A. No ground is made out for granting <sup>Review</sup> relief.

3. In the result, the Review Petition is rejected.

  
(D.S.BAWEJA)

MEMBER(A)

  
R.G. Vaidyanatha  
2/8/99

VICE-CHAIRMAN

B.