

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

OA No. 63/94 : Date of order 16.5.94

S.L. Matta : Applicant

V/s

Union of India & Others : Respondents

Mr. H.R. Pareek : Counsel for the applicant

Mr. N.K. Jain : Counsel for the respondents

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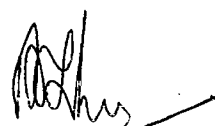
Hon'ble Mr. Justice D.L. Mehta (Vice-Chairman)

Hon'ble Mr. P.P. Srivastava, Member (A)

PER HON'BLE MR. JUSTICE D.L. MEHTA, (VICE-CHAIRMAN)

Heard the learned counsel for the parties. The applicant was retired on 31.5.83. The payment of gratuity of Rs. 19,687.50 was sanctioned vide order dated 16.4.85. Some recoveries were to be made according to the respondents and after deducting the amount of recoveries the payment was to be made.

2. The recovery was in relation to the same allowances due and interest thereon. This court in TA 548/86 decided on 13.7.90, passed an order that the order dated 3.3.82 (Annexure A-4) is hereby struck down and the respondents are directed to refund the amount, if any, recovered pursuant to the order within three months from today. The applicant could have made a submission in that TA that the interest should be paid on account of retention of his dues. No such prays was made in that TA. A fresh OA on the ground that delayed payment should also be paid, cannot be entertained now as it does not give fresh cause of action after the decision of TA on 3.7.90. We do not find any force in the OA and no order for the payment can be passed in favour of the applicant. OA is dismissed with no order as to costs.

  
(P.P. SRIVASTAVA)

Member (A)

  
(D.L. MEHTA)

Vice-Chairman