

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORDER SHEET

ORDERS OF THE TRIBUNAL

15.2.2008

RA 5/2007 with MA 132/2007 (OA 220/2006)

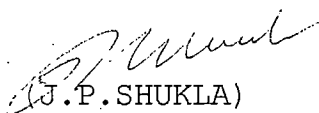
Mr.Gaurav Jain, counsel for applicants
(respondents in the OA).

Mr.C.B.Sharma, counsel for respondent (applicant
in the OA).

Heard the learned counsel for the parties.
The applicant has moved MA 132/2007 praying for
condonation of delay in filing the Review
Application.

In view of the averments made in the MA, the
MA is allowed and the delay in filing the Review
Application is condoned. MA stands disposed of
accordingly.

The Review Application is allowed by a
separate order and the OA is directed to be
listed for final hearing on 27.3.2008.


(J.P.SHUKLA)
MEMBER (A)


(M.L.CHAUHAN)
MEMBER (J)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 15th day of February, 2008

REVIEW APPLICATION NO.5/2007

IN

ORIGINAL APPLICATION NO.220/2006

CORAM :

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER
HON'BLE MR.J.P.SHUKLA, ADMINISITRATIVE MEMBER

1. Union of India through its Secretary, Government of India, Department of Posts, Ministry of Communication and Information Technology, Dak Bhawan, New Delhi.
2. Chief Post Master General, Rajasthan Circle, Jaipur.
3. Post Master General, Rajasthan Southern Region, Ajmer.
4. Senior Superintendent of Post Offices, Kota Division, Kota.

... Review Applicants

(By Advocate : Shri Gaurav Jain)

Versus

Gopal Lal Bharti,
S/o Shri Krishna Chand Bharti,
R/o 21/229, Near Jagdish Temple,
Sripura, Kota.

... Respondent (Non-Applicant)

(By Advocate : Shri C.B.Sharma)

ORDER (ORAL)

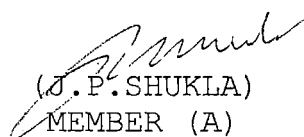
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PER HON'BLE MR.M.L.CHAUHAN


Heard the learned counsel for the parties. This Review Application has been moved by the respondent-department, wherein they have pleaded that some error is apparent on the face of record and the same is liable to be corrected. According to the applicant in the OA, a sum of Rs.5189/- has been recovered from DCRG on his superannuation from service. But the case of the respondents is that Rs.5189/- have not been deducted from the DCRG and the gratuity has been paid in full, but the applicant himself has deposited the said amount and the department has not deducted the amount from the gratuity.

2. From the perusal of the impugned judgement, we find that the whole judgement is based on the contentions of the applicant as if the amount has been deducted from DCRG. It was also observed that the department was unable to explain how the full amount has been deducted from the gratuity. Thus, there appears to be some error apparent on the face of record.

3. Accordingly, this Review Application is allowed and the impugned judgement dated 20.3.2007 is recalled. OA 220/2006 is restored to its original number and be listed for final hearing on 27.3.2008.

4. This Review Application stands allowed accordingly.


(J.P. SHUKLA)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

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