

Central Administrative Tribunal  
Principal Bench  
New Delhi

R.A.No.286/2016  
in  
O.A.No.1332/2015

New Delhi, this the 13<sup>th</sup> day of December, 2016

**Hon'ble Shri V. Ajay Kumar, Member (J)**

Nandi Devi  
[Widow of Diwan Singh  
posted as Driver (Ad-hoc)(Group C)  
Age:- 48 years]  
House no-68, Khasra No-12/10  
Gali No.-03, Uttrakhand Colony  
Nathu Pura, Burari, Delhi – 110 084. ... Applicant

Versus

1. Central Pollution Control Board  
Through its Principal Secretary  
Parivesh Bhawan  
East Arjun Nagar  
Delhi – 110 032.
2. Ministry of Environment, Forest & Climate Change  
Through its Principal Secretary  
Indira Prayavaran Bhawan  
Jor Bagh Road  
Aliganj, New Delhi – 110 003. ... Respondents

**O R D E R (By Circulation)**

**By V. Ajay Kumar, Member (J):**

The OA No.1332/2015 filed by the applicant, seeking a direction to the respondents to pay the amount of Employers Contribution of the CPF and the amount of Gratuity, with interest, was partly allowed vide Order dated 30.09.2016, as under:

"10. Though the applicant claimed for payment of Gratuity also but failed to show any valid reason in support of the said claim.

11. In the circumstances and for the aforesaid reasons, the OA is partly allowed and the respondents are directed to pay the employers share of the Provident Fund contribution to the applicant along with GPF rate of interest, w.e.f. 01.04.2015, i.e., the date of filing of the OA till the actual date of payment, within 90 days from the date of receipt of a copy of this order. No costs."

2. The applicant filed the present RA, seeking review of the aforesaid Order to the extent of reviewing the same by granting the Gratuity, by raising certain grounds for granting Gratuity to the applicant. No direction with regard to Gratuity was passed in the said Order dated 30.09.2016, by observing that the applicant failed to show any valid reason in support of the said claim. The review applicant has not controverted the said observation, either by showing any contention or ground raised in the OA or by stating that any arguments were advanced at the time of hearing of the OA, but trying to reargue the OA with regard to his claim of Gratuity by way of filing the present RA, which is not permissible, as per the settled principles of law.

3. In the circumstances, the RA is dismissed, being devoid of any merit. However, this order shall not preclude the applicant from

making any representation to the respondents claiming Gratuity or the respondents from considering the same, as early as possible, preferably, within 3 months from the date of receipt of such a representation, in accordance with law. No costs.

(V. Ajay Kumar)  
Member (J)

/nsnrvak/