

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 1161/2001

New Delhi, this the 8th day of March, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)
Hon'ble Shri Govindan S.Tampi, Member (A)

Shri B.L.Sharma
retired Superintendent, Grade-I
(Delhi Administration Subordinate Service)
Government Girls Sr. Sec. School, Pul Bangash
Delhi, C/o Principal of the School.

...Applicant

(By Advocate Ajay Kumar Bhat
through proxy counsel Shri Vivek Kishore)

V E R S U S

GOVT. OF NCT OF DELHI : THROUGH

1. The Chief Secretary
5, Sham Nath Marg, Delhi.
2. Principal Secretary, Finance
Govt. of NCT of Delhi
5, Sham Nath Marg, Delhi.
3. Principal Accounts Officer
Govt. of NCT of Delhi
Mori Gate, Delhi - 6.
4. Pay and Accounts Officer-18
Govt. of NCT of Delhi
3rd floor, Fire Station Building
Prasad Nagar, New Delhi.
5. Director of Education
Delhi Administration
Old Secretariat, Delhi.
6. Principal
Government Girls Sr. Sec. School, Pul Bangash
Delhi - 6.

...Respondents

(By Advocate Shri Devesh Singh)

O R D E R (ORAL)

BY HON'BLE SMT. LAKSHMI SWAMINATHAN, VC (J)

We have heard Shri Vivek Kishore, learned proxy counsel for the applicant and Shri Devesh Singh, learned counsel for the respondents and perused the documents on record.

2. Shri Devesh Singh, learned counsel has drawn our attention to the order issued by the

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respondents dated 12-9-2001 (Annexure R-V). This letter is in continuation of their earlier letter on the subject of revision of pay/pension of the applicant and with specific reference to the prayers made by the applicant in this OA. Learned counsel for the respondents has submitted that after seeking the necessary clarifications from the Govt. of India, which had been given to them in their letter dated 25-7-2001 (Annexure R-III), the respondents have paid all the dues of the applicant by way of pay and pension of the applicant after his retirement from service w.e.f. 31-3-2001, which have been accepted by him. These facts are not denied by the learned proxy counsel for the applicant. Hence the learned counsel for the respondents has submitted that the OA has become infructuous.

3. We have also seen the rejoinder filed by the applicant dated 6-2-2002. The contention of the learned proxy counsel for the applicant is that the applicant is aggrieved by the fact that there has been unjustifiable delay on the part of the respondents in correctly fixing his revised pay and subsequently his pension after his retirement for which he has prayed for exemplary costs and interest on the delayed payments.

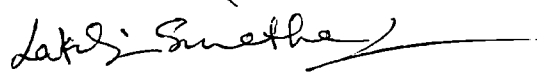
4. We have considered the submissions made by the learned proxy counsel for the applicant. It is seen from the nature of the claims and the orders/clarifications sought and received by the respondents in the matter, that it cannot be held that there has been wanton delay on their part in fixing the revised pay and pension of the applicant. Taking into account the facts and circumstances, we, therefore, reject the

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prayer for exemplary costs and interest.

5. In the above facts and circumstances of the case, as the OA has become infructuous, it is accordingly disposed of. No order as to costs.


(GOVINDAN S. TAMPI)
MEMBER (A)


(SMT. LAKSHMI SWAMINATHAN)
VICE-CHAIRMAN (J)

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