

(9)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

L.A. NO. 1591/95

Hon'ble Shri R.K. Whoja, Member (A)

New Delhi, this 03rd day of October, 1996

1. Subhash Chand  
s/o Shri Tek Chand  
working as MCC/Clerk  
under IOW Office, Northern Railway  
Station, Rohtak (Haryana)  
r/o Railway Colony  
Rohtak (Haryana).
2. Om Parkash  
s/o Shri Dharam Singh  
working as MCC/Clerk  
under IOW Office  
Northern Railway Station  
Rohtak (Haryana)  
R/o Railway Colony  
Rohtak (Haryana).
3. Avinash Lal  
s/o Shri Mani Ram  
working as Clerk  
in the office of U.M.E.-II  
D.R.M. Office  
Northern Railway  
Near New Delhi Railway Station  
NEW DELHI.  
R/o Gali No. 40,  
Palam Colony  
NEW DELHI.

... Applicants

(By Shri Yogesh Sharma, proxy of  
Shri V.P. Sharma, Advocate)

Vs.

1. Union of India through  
the General Manager  
Northern Railway  
Baroda House  
NEW DELHI.
2. The Divisional Railway Manager  
Northern Railway  
Delhi Division  
Near New Delhi Railway Station  
NEW DELHI.
3. The Sr. Divisional Accounts Officer  
Northern Railway, Delhi Division, URM  
Office, Near New Delhi Railway Station  
NEW DELHI.

... Respondents

(By Shri Rajeev Bansal, proxy of  
Shri H.K. Gangwani, Advocate)

O R D E R (Oral)

The applicants, three in number, are  
aggrieved that their pay has not been refixed

(P.L.)

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in the revised pay scale by the Respondent No.2 nor they have been paid the arrears on account of the differential. The respondents have submitted in their short reply that the reliefs claimed by the applicants have been considered and it has been decided to extend the benefit as claimed by them and is accordingly, their pay has been refixed vide letter No.726-E/8/1/161/P-4 dated 18.12.1995.

2. When the matter came up for hearing on 20.8.1996, Shri H.K.Gangwani, learned counsel for the respondents submitted that since the relief claimed by the applicants has already been granted the application has now become infructuous. On the other hand, the learned counsel for the applicants stated that the arrears arising out of the fixation of revised pay have not been given to the applicants. The learned counsel for the respondents, therefore, undertook to find out the correct position from the department and on that account, he was granted two weeks' adjournment.

3. Today, when the case came up for hearing, Shri Rajeev Bansal, proxy of Shri H.K.Gangwani, counsel for the respondents submits that the position is still not known and he therefore sought further time to ascertain the correct position.

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JL

4. On consideration of the facts and circumstances, I do not consider it proper to grant further time in order to obtain any clarification from the respondents. The application is allowed with a direction to the respondents to make the payment of arrears on account of refixation of pay within two months from today, in case they have not already done so.

5. The application is disposed of with the aforesaid directions. There is no order as to costs.

Reckha :  
(R.K.AHOGJA)  
MEMBER(A)

/rao/