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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.749/94.

New Delhi, this the 31st day of May, 1994.

SHRI J.P. SHARMA, MEMBER(J).

Shri D.K. Chhetri,
son of Late Shri K.B. Chhetri,
24-Maitri Apartments, A-3, Paschim Vihar,
New Delhi.

...Applicant

By advocate : Shri K.K.Khurana for Shri Y.K.Kapoor.

VERSUS

1. Union of India,
through Secretary,
Ministry of Information & Broadcasting,
Shastri Bhawan, New Delhi.
2. Pay & Accounts Officer (IRLA),
Ministry of Information & Broadcasting,
A.G.C.R. Building,
New Delhi.

...Respondents

By advocate : Shri M.M. Sudan.

ORDER (ORAL)

The applicant D.K. Chhetri wanted the implementation of the judgment in the case of D.G.MOHAPATRA v. UNION OF INDIA. It is a case of the applicant that an order of fixation of pay was passed on 28-9-93. The Ministry of Information and Broadcasting after the delivery of the aforesaid judgment and the judgment in the case of P. PARMESHWARAN & OTHERS v. UNION OF INDIA communicated the decision of the Hon'ble Supreme Court to the Pay and Accounts Officer (IRLA) to extent the benefit of re-fixation of pay in the scale of Rs.650-1200 w.e.f.1-1-1973 on notional basis to C.I.S. Officers. Along with the said letter, a list of officers has also been annexed. The name of the applicant appears at serial no.120 of that list. The respondents delayed the re-fixation of pay and also the payment of arrears to the applicant and he filed the present application in March 1994 praying for the grant of arrears of pay along with interest at 24% from 9-3-92 till the date of payment.

2. A notice was issued to the respondents and Shri M.M.Sudan
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appeared on behalf of the respondents and stated that the respondents have issued a cheque on 24-5-94 for an amount of Rs.24,931 which is the arrears of re-fixation of pay of CIS grade w.e.f.9-2-76 till his superannuation on 31-10-90. The directions has been fully complied with.

3. Shri K.K.Khurana appears as proxy counsel for Shri Y.K. Kapoor and he prayed for time to verify from the bank regarding the said payment. The applicant is also present along with him. I don't find that in such a situation, adjournment can be granted when the arrears of pay has already been paid. The question of payment of interest, however, remains open. The applicant has already been superannuated in 1990. The applicant was not a party in any of the cases but he has been given the benefit of the judgment in the case filed by other similarly situated incumbents. There was no administrative lapse on the part of the administration for the award of interest.

4. In view of the above facts, the application is disposed of as infructuous. However, if by calculation, any amount is found short, the applicant can assail the same and this order will not be a bar in his case. No costs.

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(J.P.SHARMA)

MEMBER(J)

'KALRA'