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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. NO. 1502/94

New Delhi the 10th August 1994

Hon'ble Shri J.P. Sharma, Member (J)

Shri R.S. Dahiya,
s/o Shri Nand Ram,
L.D.C.,
O/O Deputy Commissioner,
Rajya Sainik Board,
Govt. of N.C.T.,
Tis Hazari,
Delhi.

.... Applicant

(Shri R.S. Dahiya in person)

Vs.

1. The Secretary
to the Govt. of India,
Ministry of Home Affairs,
North Block,
New Delhi.

2. Deputy Commissioner,
Govt. of National Capital Territory,
Tis Hazari, Delhi.

..... Respondents

O R D E R (ORAL)

Hon'ble Shri J.P. Sharma, Member (J)

Applicant heard in person. He is an ex-serviceman. He is still serving in Rajya Sainik Board. He was employed as Lower Division Clerk with effect from 5.5.93 in the pay scale of Rs. 950-1500 in the office of Deputy Commissioner, Delhi. His service is temporary.

2. The grievance of the applicant is that he was not paid salary when it fell due on the last date of every month since May 1993 and that it was paid in December 1993, a total amount calculated of this period. He has now claimed interest on the delayed payment of the salary. He made a representation to the respondents and also gave a representation September 1993 but he has not been furnished any reply.

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3. Though there is no provision for Payment of interest to the employee for delayed Payment of salary but the principles of natural justice and that the person has been deprived of the due money and he could have utilised that amount for better gains or for betterment of his family, that has to be compensated if there is any Administrative lapse in the Payment of salary. The other grievance pointed out by the applicant is that there is doubt for taking the period from 30.11.93 till 21.12.93 to be treated as a period not spent on duty. The applicant admits that he has been paid salary for this period. The applicant ^{be} ~~also to~~ informed while deciding the case of Payment of interest/compensation regarding this period to dispel the apprehension entertained by the applicant.

/is
entitled

4. In view of this fact this application is disposed of at the admission stage that the respondent shall consider the case of the applicant whether the delay in disbursement of salary was on any unavoidable administrative grounds and if not so they may consider him ^{to} ~~compensate~~ by way of interest on the delayed Payment monthwise of the ~~salary~~. The application is therefore disposed of accordingly. The applicant be also informed about the period 30.11.93 to 20.12.93 whether treated spent on active duty.

(J.P. SHARMA)
Member (J)

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