

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No. 492/2000

New Delhi, this the 9th day of May, 2001.

HON'BLE MR. S.A.T.RIZVI, MEMBER (A)

Viney Kumar Singal,
S/o Shri Bachan Lal, aged 29 years,
R/o Flat No. 264,
Pocket G-5, Sector-16,
Rohini,
Delhi-110085 Applicant
(By Advocate : Shri S.C. Semena)

V E R S U S

1. Government of Delhi, Through The Chief Secretary, Delhi Administration, 5, Sham Nath Marg, Delhi-110054
2. The Director, Directorate of Training and Technical Education, Muni Maya Ram Marg, Pitam Pura, Delhi - 110034
3. The Principal, Guru Nanak Dev Polytechnic, Rohini, Delhi:110085 ... Respondents (By Advocate : Mrs. Sumedha Sharma)

ORDER (ORAL)

By S.A.T. Rizvi, Member (A):

Heard the learned counsel on either side at length and have also perused the material placed on record.

2. The applicant, a regularly appointed LDC, joined Guru Nanak Dev Polytechnic at Delhi on 26.7.1999 on transfer from ITI Pusa. Aggrieved by non-payment of his salary and allowances for the months of November, 1999, December, 1999, January, 2000 and February, 2000 he has filed the present OA. On 27.3.2000 he has been transferred out to Directorate of Technical Education, Delhi.

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3. According to the learned counsel appearing for the respondents, the difficulty in making payments of salary and allowances to the applicant arose due to non-receipt of the Last Pay Certificate (LPC) from ITI Pusa from where he had come on transfer. Nevertheless, the respondents have made payments of his salary and allowances calculated on a provisional basis at the rate of Rs.5,000/- per month for the period from August, 1999 to October, 1999 in consequence of the authorisation given on 24.8.1999. The aforesaid provisional payment is presumed to have been made soon after the aforesaid authorisation was made. The LPC, however, remained pending and has finally been received only in November, 1999. The same still shows a doubtful entry in column 4 thereof and the matter is under correspondence to secure the desired correction. A reference has accordingly been made to the ITI Pusa on 20.12.1999. Subsequent payments, however, remained held up until this Tribunal by its order of 30th March, 2000, intervened in the matter. Following the Tribunal's direction, a further payment of Rs.21,678/- was made in the Court itself which related to the salary and allowances due to the applicant for the period from 26.7.99 to 29.2.2000 after adjusting three months' provisional salary that had been paid to the applicant for the months of August, September and October, 1999. According to the learned counsel for the respondents, the salary and allowances of the applicant are being paid regularly thereafter from

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the month of March, 2000 onward and there is no grievance in this respect.

4. In regard to the delay in making the payments, the learned counsel appearing for the respondents submits that it is the applicant himself, who has to be blamed in the matter. It is the applicant who was handling the desk from where correspondence for LPC emanated and reminders were supposed to have been issued. The matter came to light only after the applicant had been shifted and a new LDC came in. According to the learned counsel, the applicant is a litigation minded official, who deliberately sat on papers resulting in delay. At the instance of the learned counsel for the respondents, I have perused some of the papers produced from the relevant file maintained in the respondents' establishment. I am satisfied that the applicant must take responsibility for whatever delay has taken place in the receipt of the LPC and in the payment of salary and allowances. There is, therefore, no case at all for granting interest on the aforesaid payments. As already stated, the difficulty experienced by the applicant has already been over-come and he has been receiving his salary and allowances regularly from March, 2000. No interference of any kind is called for at this stage.

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5. In the circumstances, the OA is dismissed.

No costs.



(S.A.T. RIZVI)
MEMBER (A)

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