

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

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O.A. NO.1929/1989

DATE OF DECISION: 21.2.92

SHRI R.MUTHURAMAN

...APPLICANT

VS.

DELHI ADMINISTRATION

...RESPONDENTS

CORAM

SHRI J.P. SHARMA, HON'BLE MEMBER (J)

FOR THE APPLICANT

...IN PERSON

FOR THE RESPONDENTS

...SHRI MILAP CHAND, UDC
DEPARTMENTAL REPRESENTATIVE

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?

JUDGEMENT

(DELIVERED BY SHRI J.P. SHARMA, HON'BLE MEMBER (J))

The applicant, Stenographer Grade-III in the Office of the Industrial Tribunal filed the application under Section 19 of the Administrative Tribunals Act, 1985 with regard to certain grievances against the respondents on 21.9.1989. The Bench by the order dt. 16.11.1989 ordered to file an amended application as the application he had filed, was not entertainable. On 13.11.1989, the applicant filed the amended application in which the grievance of the applicant is restricted to the fact that he was allowed to cross EB w.e.f. 1.4.1984 by the order dt. 6.1.1988, but the arrears remained unpaid.

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2. The applicant claimed the relief with a direction to the respondents to pay the increment arrears of the applicant with interest immediately.

3. The respondents in reply stated that the bills of the applicant cannot be finalised due to cumbersome procedure and rules prevailing for dealing with such matters/payments. It is further stated that since there is no intentional delay, the applicant is not entitled to any interest.

4. None appeared on behalf of the parties on the date of hearing on 3.2.1992. The case is being decided on the basis of the pleadings of the parties. When once it is admitted to the respondents that the applicant is entitled to the arrears of increment, which were awarded to him from 1.4.1984 by an order dt. 6.1.1988, then the counter which was filed in April, 1991 still shows that the payment has not been made. This abnormal delay to a low paid employee only because the process of paying arrears is cumbersome, cannot be a logical ground of withholding payment. Thus besides the applicant being entitled to the arrears of the increment, which have occurred due to crossing of EB w.e.f. 1.4.1984 is also entitled to simple interest

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on that amount @ 12% p.a.

5. In view of the above facts, the application is disposed of in the manner that the respondents are directed to pay the arrears of increment due to the applicant from 1.4.1984 along with interest of 12% p.a. till the date of payment within a period of three months. In the circumstances, the parties to bear their own costs.

AKS

J. P. Sharma
21.2.72
(J.P. SHARMA)
MEMBER (J)