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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn. No. OA 2141/89

Date of decision: 16.12.1991.

Mrs. Viney Sharma

...Applicant

Vs.

Union of India

...Respondents

For the Applicant

...Shri R.L. Sethi,
Counsel

For the Respondents

...Shri M.K. Sharma,
Counsel

CORAM:

THE HON'BLE MR. P.K. KARTHA, VICE CHAIRMAN(J)

THE HON'BLE MR. B.N. DHOUNDIYAL, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment? *Yes*
2. To be referred to the Reporters or not? *No*

JUDGMENT (ORAL)

(of the Bench delivered by Hon'ble Mr. P.K.
Karthha, Vice Chairman(J))

We have heard the learned counsel of both parties on the grievance of the applicant relating to non-payment of pay and allowances admissible to her with effect from 1.7.1970 in the post of Language Teacher. The claim of the applicant is that the scale of pay of Rs.220-500(pre-revised) was fixed in the case of the applicant with effect from 1.7.1970, but no copy of the order of pay fixation was endorsed to the applicant. The respondents have stated in their counter-affidavit that the applicant had previously

served in the Middle Schools run by the Municipal Corporation of Delhi which were taken over by the Delhi Administration with effect from 1.7.1970.

According to them, the relevant records were not available.

2. The respondents have produced the relevant records before us for our perusal. It appears from the service book of the applicant that entries have been made therein as regards the scale of Rs.220-500 as the pay of the post of Language Teacher. The entries in the service book indicate that the pay of the applicant from 1.7.1970 onwards was in the scale of Rs.220-500.

3. As the entries in the service book are authentic, we are of the view that the applicant is entitled to the scale of Rs.220-500(pre-revised)with effect from 1.7.1970. The case of the applicant is that she has not been paid in accordance with the same scale but she was paid in a lower scale of Rs.130-300.

4. After hearing both sides, we dispose of the present application with the direction to the respondents to verify the payments made to the applicant from 1.7.1970 to 20.2.1978. In case it is found that notwithstanding the grant of the scale of Rs.220-500 to her as entered in the service book with effect from 1.7.1970, the applicant was being paid only in the scale of Rs.130-300, the respondents shall pay to her the difference in the pay and allowances for the period from 1.7.1970 to 20.2.1978. The respondents shall do so

within a period of 2 months from the date of communication of this order. In the facts and circumstances of the case, we do not direct payment of interest to the applicant. The application is disposed of accordingly.

There will be no order as to costs.

B.N. Dhumal
(B.N. DHOUNDIYAL)
MEMBER (A)

Devnath
(P.K. KATHA)
VICE CHAIRMAN (J)