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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn.No.OA 520/1987

Date of decision:08.01.1993.

Shri R.P. Sharma

...Applicant

Versus

Union of India through Ministry of
Agriculture & Another

...Respondents

For the Applicant

...Shri R.R. Rai,
Counsel

For the Respondents

...Shri K.C. Mittal,
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 Shri P.K. Kartha,
Vice Chairman(J))

We have gone through the records of the case and have heard the learned counsel of both parties. The reliefs sought in the present application are to quash the impugned order dated 3/4.7.1986 and to direct the respondents to give arrears of pay and allowances along with interest after restoring the amount of reduction in pay made on account of the impugned order. He has also prayed for any other relief as may be deemed necessary and fit in the interest of justice.

2. During the hearing of the case, we have been informed by both the parties that the penalty imposed upon the applicant
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has been quashed and that he has been paid the arrears of pay and allowances including HRA and CCA etc. The learned counsel for the applicant has stated that the basic pay drawn by him for the period from May 1986 to October 1990 is less when compared to the amounts due to him for the said period.

The learned counsel for the respondents stated that a sum of Rs.32,163/- has been paid to the applicant for the said period but no break-up of the said amount has been made available.

The learned counsel for the applicant has restricted the relief to only payment of the arrears of over time and night duty allowance, as the amount claimed by him was due and admissible to him. This is the matter of accounting.

3. We, therefore, dispose of the present application with the direction to the respondents to give a statement containing the break-up of Rs.32,163/- to the applicant within a period of one month. The applicant may make any representation as regards the amounts due to him towards arrears of over time and night duty allowance, in case he has been paid lesser than the amount he has claimed within one month thereafter. The respondents shall verify whether the amounts paid to the applicant for the period from May 1986 to October 1990 have been calculated by taking into account the increments admissible to him during the said period. In case, he has not been paid the amounts in full as claimed by him, they shall pay the arrears of over time

and night duty allowance on the said amount together with interest at the rate of 10% per annum with effect from July 1990, when the impugned order was quashed by them. They shall do the needful in the matter expeditiously and preferably within a period of two months from the date of receipt of this order. The application is disposed of accordingly.

There will be no order as to costs.

B. N. Dhoondiyal
(B.N. DHOUNDIYAL)
MEMBER (A)
08.01.1993

P. K. Kartha
(P.K. KARTHA)
VICE CHAIRMAN (J)
08.01.1993

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