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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A.No. 2609/90.

Date of decision: 16.12.94

Hon'ble Shri N.V. Krishnan, Vice-Chairman (A)

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Pyre Lal,
S/o Shti Hoti Lal,
Ex-Head Clerk,
C/o Shri Ram Kishan IDW Office,
Northern Railway,
REWARI (HARYANA).

.. Applicant

(By Advocate Shri V.P. Sharma)

versus:

1. Union of India through,
The General Manager,
Northern Railway,
Baroda House, New Delhi.

2. The Divisional Railway Manager,
Northern Railway,
Bikaner.

3. The Assistant Engineer,
Northern Railway,
Rewari (Haryana).

.. Respondents

(None)

ORDER (ORAL)

[Hon'ble Shri N.V. Krishnan, Vice-Chairman (A)]

The applicant, who was a Head Clerk in the Office of Assistant Engineer, Northern Railway, Rewari, has filed this application against inaction of the respondents who are not paying his dues relating to honorarium, ^{eh} The dates of his ^{claims} ~~service~~ have been shown in Annexure A-4. The applicant has retired on 30.9.1989. It is stated that the ministerial staff has to perform extra duties like preparing of bills for payment of additional dearness allowance, fixation of salaries on

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Date	Office Report	Orders
	<p>27-10-1995</p>	<p>15.</p> <p>CP-179/95 DA-179/95</p> <p>Present :- Shri V.P.Sharma through proxy couns Shri Yogesh Sharma, counsel for the petitioner.</p> <p>None for the respondents. who is the D.R.M.(N.R.) Bikaner. Shri K.K.Patel had appeared on 27-9-95 and wanted three weeks time to file reply. That reply has still not been filed. In the normal course we would ^{have} directed the respondent to appear in person but as the respondent is located in Bikaner and in the circumstances he are of ^{the} view that such a decision can be taken only, default continuous. Let this matter be listed on 13.11.1995.</p> <p><i>JS</i> (Smt. Lakshmi Swaminathan) (N.V. Krishnan) Member (J) Acting Chairman</p> <p><u>13.11.1995</u></p> <p>Present : None for the applicant.</p> <p>Shri K. K. Patel, counsel for the respondents.</p> <p>Shri Patel states that the compliance has been effected. Reply is being filed today. Copy be given to the petitioner's counsel. Rejoinder if any within one week. Call on 5.12.1995.</p> <p><i>U</i></p> <p><i>U</i> (D. C. Verma) (N. V. Krishnan) Member (J) Act. Chairman</p> <p>/as/</p>

the basis of Pay Commission's report etc. for which they are given honorarium. The applicant was entitled to increased dearness allowance w.e.f. 1.1.1988, 1.7.88 and 1.1.89. He is entitled for bonus for the year 1987-88 as well as D.A. instalment for 1.4.88 to 31.3.89. It is in respect of these claims that an amount of Rs. 13,602/- has been claimed at Annexure A-4. Though the applicant made representation vide Annexure A-1, there was no response from the respondents. Hence, he has filed this O.A. for direction to the respondents to pass an order allowing the claims mentioned in Annexure A-1, the details of which are given in Annexure A-4.

2. The respondents have filed a reply on 9.7.1991. It is stated in reply to para 1 of the O.A. that ["]the applicant's case is under consideration and the amounts due to him will be paid to him after the approval of the competent authority". It is also stated elsewhere that the amounts are under process of payment vide reply to para 4.2 (a) & (b). In reply to para 4.5, it is stated that the applicant's case has been referred to higher authorities and in due course he will be paid his dues. Unfortunately, this matter has come up for final hearing only now. The respondents were represented on 15.12.94 by Shri H.R. Balmiki, Proxy Counsel for Ms. B.S. Rao. He was informed that the matter will be taken today for final hearing.

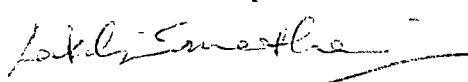
3. None is present from the Railways. The learned counsel for the applicant states that as on date no pay-


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payment has been received by the applicant. We are surprised that the respondents have not cared to pursue the case of the applicant during this entire period. We are of the view that this is a case where the respondents should not only be given ^{the} ~~final~~ direction to pass final order within a specified time but also they should be directed to pay interest on the delayed payments.

4. We, therefore, direct the respondents to dispose of the claims of the applicant as mentioned in Annexure A-4 within a period of two months from the receipt of a copy of this order. In the normal course we would have expected the respondents to dispose of the case within 3 months after filing their reply which has not been done by them. In the circumstances, we direct that interest ^{& payable} @ 12% will be ~~accrued~~ from 1.11.1991 till this amount is actually paid.


(Smt. Lakshmi Swaminathan)
Member (J)


16/11/94
(N.V. Krishnan)
Vice-Chairman (A)