

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI**

O.A. No. 2387/1992
T.A. No.

199

DATE OF DECISION 06.08.1993

Shri P.C.Sharma

Petitioner

Shri B.J.MALVANIA

Advocate for the Petitioner(s)

Versus

Union of India & others

Respondent

Mrs. Maninder Kaur

Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. J.P.SHARMA,

Member (J)

The Hon'ble Mr. S.GURUSANKARAN,

Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

JUDGEMENT

This judgement was pronounced by Hon'ble Mr.
J.P.Sharma, Member (J) (oral).

In this application the applicant has sought redressal of his grievance against non-payment of his salary from 1.9.1989 to 3rd August, 1989 and non-payment of subsistence allowance from 1st November, 1991 upto the present period. When the matter came before this bench on 19th September, 1992, the counsel appearing for the applicant did not press for the relief for payment of salary

(10)

for the aforesaid period and that relief was deleted from the relief clause. The only relief claimed by the applicant in this application is that he should be paid subsistence allowance with effect from 1.11.1991 upto the present period along with 10% interest per annum. The notice was issued to the respondents and the respondents said that the reply has been filed only today in the registry, but the same has not come on the record. We heard the applicant.

2. We heard the applicant in person and the learned counsel Mr. Maninder Kaur for the respondents. A cheque of Rs. 58,604 (Rupees fifty eight thousand six hundred and four only) dated 06.8.1993 has been delivered to the applicant. The applicant has no other grievance except that he should be considered for payment of interest on the aforesaid amount, because of unexplained delay by the respondents. In any case, the subsistence allowance to a suspended employee and his family during the period of suspension continues. It is the minimum allowance that is required for the livelihood of the suspended employee. The applicant is, therefore, also entitled to the interest at the rate of 10% on the amount with monthly breaks. The respondents are directed to pay the same after ~~concluding~~ calculating the same within a period of three months from the date of receipt of this order. The counsel for the respondents submits that the applicant has been reinstated in service and being paid regular pay and allowances. This application is disposed off accordingly.

S. GURU SANKARAN
S. GURU SANKARAN
MEMBER (A)

J. P. SHARMA
J. P. SHARMA
MEMBER (J)