

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

(8)

PRINCIPAL BENCH.

New Delhi dated this the 23rd March 1994.
OA. No. 785 of 1993

SHRI C.J. ROY, HON. MEMBER (J)

Dr. P.C. Mittal
S/o Shri Trilok Chand Mittal,
R/o 65/75, New Rohtak Road,
New Delhi

... Applicant

By Advocate ~~xxx~~: Applicant in person.

versus

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

... Respondents

By Advocate: Shri H.K. Gangwani.

ORDER (Oral)

The applicant in this OA claims interest on delayed payment of DCRG and also penal interest for the delay and balance of TA bill payment, which altogether comes to Rs. 20,698/-. It includes interest as well as the penal rent. The applicant has retired from service w.e.f. 30.6.89. The DCRG was paid on 30.11.89 and the computation money was paid on 8.11.89. The delay in payment is only 5 months in which the Government is entitled for two months, thereby, the actual delay would be only three months.

2. The counsel for the respondents submit that the balance of TA bill has also been sent to him by way of a cheque. But the applicant claims that there is still arrears of TA bill to be paid to him. In view of the

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multiple reliefs claimed by the applicant in this OA, and the delay in payment of DCRG benefits by five months and the balance amount of TA bill has to be considered in the light/whether it has been correctly paid, or not. Further the claim of the applicant amounts to ~~rejudicata~~. I am not prepared to go into details of the matter in view of the multiple claims of the applicant which involves lot of calculation works. This Tribunal cannot waste its precious time on calculations. However, in view of the above circumstances of the case, the applicant is given liberty to make a representation to the respondents claiming the above reliefs within 15 days. The respondents, after receipt of the representation are directed to dispose the same of/within a period of two months giving particulars of the payment made with date, to the applicant. They are also directed to clarify as to how the balance of TA bill has been paid. If there is any payment to be made with as alleged by the applicant, reference to the principal amount/ they may also clarify the same. The TA bill belong to 1988-89. The case is ~~already tried~~ filed in 1993, ie. after four years. Therefore, the applicant is not entitled for filing of this OA under Section-21 of the Administrative Tribunal's Act, 1985.

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However, in view of the fact that the applicant is a superannuated person and is agitated over the delayed payment of the DCRG etc. the respondents are directed to dispose of the representation within two months as stated above. If the applicant is aggrieved, he is entitled to approach the Tribunal subject to the law of limitation and if the cause of action survives.

3. With the above observation, the OA is disposed of.

No costs.

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(C.J. ROY)
MEMBER(J)
23.3.1994