

Open Court.

Central Administrative Tribunal,  
Allahabad Bench, Allahabad.

Dated: Allahabad, This the 29th Day of September, 2000

Coram: Hon'ble Mr. Rafiq Uddin, Member (J.)

Original Application No. 410 of 1996.

R.C. Mishra, aged about 52 years,  
son of late Shri Ram Lekhan Mishra,  
Resident of village Deipur, Dharsauna Bazar  
Post Office Cholapur,  
Distt. Varanasi.

... Applicant.

Counsel for the Applicant : Sri K.P. Singh, Adv.

Versus

1. The Union of India through Secretary,  
Government of India, Ministry of Defence,  
New Delhi.
2. The Commander Works Engineer, Allahabad.
3. The Garrison Engineer (West) Allahabad.
4. The Garrison Engineer (East) Allahabad.
5. The Assistant Garrison Engineer (I)  
Military Engineering Services, Varanasi.

... Opp. parties.

Counsel for the Opposite parties: Sri Satish Chaturvedi,  
Advocate.

Order (Open Court)

( By Hon'ble Mr. Rafiq Uddin, Member (J.)

The applicant while working as Electrician  
H.S. Grade-II in the office of Commander Works  
Engineer, Allahabad was transferred vide order

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dated 30.1.96 to the office of Assistant Garrison Engineer ( Military Engineering Services) Varanasi.

It appears that the applicant was not permitted to join at the transferred place at Varanasi, he filed the present O.A. seeking direction to the respondents to allow him to do his bonafide duties. In the meantime the applicant was permitted to join at Varanasi with effect from 14.8.96.

2. The applicant has ~~already~~ sought direction to the respondents to pay his pay and allowances since February 1996. It appears that during the pendency of this O.A. the respondents have paid the amount of pay and allowances to the applicant from February 1996 to July 1996 on 10.8.99. The applicant then got the <sup>R</sup>~~amended~~ <sup>amended</sup> relief clause and claimed direction to be issued to the respondents to pay interest at the rate of Rs.18% on the said amount.

3. I have heard the arguments of the learned counsel for the applicant and the respondents and perused the record.

4. Since the applicant has been ~~been~~ permitted to join at the same station namely Varanasi and there does not appear any <sup>justification for</sup> delay in the payment of his pay and salary, therefore the claim of the applicant for payment of interest on delayed payment is justified.

5. In view of the above, the O.A. is allowed.

The respondents are directed to pay interest at the rate of Rs.12% on the amount of Rs.26898/- from the date of filing the present O.A. i.e. 29.3.96 till the date of payment.

6. There shall be no order as to costs.

Rahimuddin  
Member (J.)

Nafees.