

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 25TH DAY OF FEBRUARY, 2002

Original Application No.842 of 2001

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.C.S.CHADHA, MEMBER(A)

Jai pal singh, S/o Sri Zorawar Singh
aged about 63 years, Retd. Assistant
Operating Manager, Northern Railway
(Allahabad Division) Tundla at present
R/o 331, Sector-9, Sikandara,
Agra U.P.

... Applicant

(By Adv: Shri Z.A.Farooqi)

Versus

1. Union of India through
The General Manager, Northern Railway
Baroda House, New Delhi.
2. The General manager,
North Central Railway,
Allahabad.
3. The Divisional Railway Manager,
Northern Railway,
Allahabad.

... Respondents

(By Adv: Shri A.K.Gaur)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA applicant has prayed for a direction to the respondents to pay the difference of salary for the month of January 1996 as a result of revision of salary on the basis of recommendation of Vth Central Pay Commission. The applicant retired from service on 31.1.1996. The recommendation of the Vth Central Pay Commission was accepted by the Railway Board on 8.10.1997 and 16.10.1997.

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Counter affidavit has been filed in para 15 whereof, it has been said that the difference of pay was Rs 1595/- which was calculated and passed vide C.O.07 No.2550 dated 16.6.1999. The applicant's reply in the Rejoinder affidavit however, is that this order has never communicated and the amount has never given to the applicant. We do not have any material before us on the basis of which it may be accepted that the amount has actually paid. the Railway ~~Recruitment~~ Board accepted the recommendation in 1997. The amount ought to have been paid at the earliest which has not been done in the present case. We, therefore, direct that the amount shall be paid to the applicant within a period of two months from today with the interest @ 12% for the salary payable from 16.6.1999 when the payment ~~was~~ passed but has not been paid. The applicant has also prayed for interest on the delayed payment of DCRG, pension and commutation. However, we are not inclined to award interest on the payment of these amounts as only difference was paid in 1998. The explanation has been given that on account of large number of cases pending for revision of pension the early disposal could not be possible. the explanation appears to be justified as lot of revisional work in payment of salary, pension and other ~~works~~ ^{ITewis} was required after the report of Vth Central Pay commission.

For the reasons stated above, this OA is allowed in part. The respondents are directed to pay the amount of difference of salary for the month of January 1996 which has been calculated as Rs1595/- with 12% interest within a period of two months. The interest shall be payable till

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the date of actual payment. For the remaining relief the application is rejected. There will be no order as to costs.

George

MEMBER(A)

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VICE CHAIRMAN

Dated: 25.2.2002

Uv/