



Central Administrative Tribunal

AHMEDABAD BENCH

Shri R.C. Bhatt

~~Vivek Chakma~~
Member

Pre-delivery ORDER in
~~T.A./O.A. No. 447/~~ of 199⁹²
is sent herewith for consideration

John
16/1/93
(V. Radhakrishnan)

Member (A)

I agree

Neeru

B

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

*Release
of Increment*

O.A. No./447/92
~~EX-100~~

DATE OF DECISION 20.4.1993

Dr. P.C. Goklani Petitioner

Mr. Party in person Advocate for the Petitioner(s)

Versus

The Union of India & Ors. Respondent

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.C. Bhatt : Member (J)

The Hon'ble Mr. V. Radhakrishnan : 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 ?

Dr. P.C. Goklani

.. Applicant

vs.

1. Union of India,
Through:
The Director,
Central Govt. Health Scheme
Nirman Bhawan,
New Delhi.
2. Additional Director General,
Central Govt. Health Scheme,
Shalimar Cooperative Housing Society,
Ashram Road,
Ahmedabad.
3. Chief Post Master General,
Gujarat Circle,
Khanpura,
Ahmedabad.

.. Respondents

JUDGMENT

O.A./447/92

Date: 20.4.1993

Per: Hon'ble Mr. V. Radhakrishnan, Member (A)

1. The applicant who is a Medical Officer working in the Saraspur Dispensary, Ahmedabad, has filed this application against the delay in sanction of increments due to him. The case of the applicant is that his increments which fell ^{due} down from 1st October, 1991, and 1st October, 1992, have not been granted to him. He was working under the Administrative Control of respondent no. 3 from 5.5.1982 to 24.4.1991, then he was transferred to the Administrative Control of the respondent no. 2.

2. The applicant had made several representations but till today his increment had not been sanctioned. The respondent no. 3 is given the reply that the increment of the applicant could not be drawn due to non receipt of his service book.

3. The applicant argued in his case in person and stated that he has been ~~prayed~~ ^{put} to considerable financial hardship due to non- release of increments falling ~~down~~ ^{due} in the last two years without any reason. He ~~voluntarily~~ ^{vehemently} argued that the Tribunal should ~~answer~~ ^{award} interest on the arrears of the increment and ~~costs~~ of the petition.

Mr. Akil Kureshi appearing for the respondent no. 3 stated that due to non receipt of service book of the Officer the increment could not be sanctioned ^{ed} to him.

4. It is unfortunate that the departments concerned have not released the increment of applicant due to non receipt of his service book. This has put the applicant in financial hardship. The respondents should have granted the drawal of increments on due dates. Increments becomes due on completion of one year of qualifying service unless it is withheld by competent authority as penalty. It is not the argument of the respondent that increments have been withheld as a penalty. In view of the facts, we feel that increment due to the applicant from 1.10.1991 and 1.10.1992 along with the arrears payable to him should be released immediately.

AK

In the facts and circumstances of the case, we feel that
it is not a fit case for award of interest ^{or costs} Hence,
we pass the following order:

5.

O R D E R

The increments due to Officer on due dates from
1.10.1991 and 1.10.1992 if otherwise in order
should be released immediately and arrears ^{thereof} ~~though~~
to be paid to him within 30 days from the receipt
of this order by the respondents. No order as
to costs.

196
(V. Radhakrishnan)
Member (A)

Tran
(K.C. Bhatt)
Member (J)

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