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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 786/87

~~TX XX XX~~

198

DATE OF DECISION 8.3.1990

Shri M.N. Shrirame Petitioner

None for Applicant Advocate for the Petitioner(s)

Versus

General Manager, Ordnance Factory Respondent s
Bhandara & Ors.

Mr. R.K. Shetty Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. P.S. Chaudhuri, Member (A)

The Hon'ble Mr.

1. Whether Reporters of local papers may be allowed to see the Judgement ? Yes
 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 ?
- } y/p



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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY

OA.NO. 786/87

Shri M.N.Shrirame

... Applicant

v/s.

General Manager,
Ordnance Factory,
Jawahar Nagar, Bhandara

& OTHERS.

... Respondents

CORAM: Hon'ble Member (A) Shri P.S.Chaudhuri

Appearances :

None for the Applicant

Mr. R.K.Shetty
Advocate
for the Respondents

ORAL JUDGMENT

Dated: 8.3.1990

(PER: P.S.Chaudhuri, Member (A))

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This application was filed on 30.11.1987 under Section 19 of the Central Administrative Tribunal's Act, 1985. In it the applicant has prayed for the following 3 ^{reliefs} ~~prayers~~ :

- "(1) That the General Manager of Ordnance Factory, Bhandara or the authority which this Hon'ble Tribunal may deem proper be directed to prepare Pay Fixation for fixing the pay in revised Pay Scale from 18/11/1975 and to pay arrears from that date;
- (2) The General Manager, Ordnance Factory, be directed to settle the fourth pay commission matter by giving all the benefits allowed by law to the applicant.
- (3) The non-applicant on whom the responsibility lies for pay fixation, be directed to make good the financial loss suffered by the applicant by granting interest at Bank rate."

2. In view of these prayers, in terms of this Tribunal's Chairman's order dated 21.3.1988 the matter comes within the jurisdiction of a Bench consisting of a Single Member. I have accordingly proceeded to hear and decide this case.

(5)

3. When this case was called out for hearing, none appeared for the applicant. Mr. R.K.Shetty, learned advocate was present on behalf of the respondents.

4. Mr. Shetty submitted that all the claims of the applicant have since been paid to him. In support of his statement he filed a letter dated 6.3.1990 from the first respondent. In this letter it is stated that :

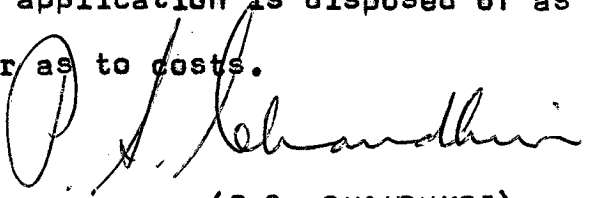
"In this connection, it is confirmed that the pay in respect of the applicant in all the stages (i.e. based on his revised option given on 27.6.80 for refixation of pay w.e.f. 18.11.75, refixation of pay in the IVth pay Commission and refixation of pay on promotion to UDC) was refixed and all arrear payments towards difference of pay and allowances and overtime allowance consequent on such refixation have been made to him as per the details given below :-

1. Rs. 758/- towards difference of pay and allowances from 18.11.75 to 31.12.78 was claimed vide GE(Fys) MES, Bhandara Bill No. 65/01/1171 dtd. 1.3.84 and paid on 27.1.89.
2. Rs. 3435/- towards difference of pay and allowances for the period from 1.1.79 to 31.12.85 was claimed vide O.F. Bhandara Bill No. 1948/INC/Arre/Clk dtd. 7.12.85 and paid on 6-7-89.
3. Rs. 6170/- towards difference of pay and allowances for the period from 1.1.86 to 31.7.89 was claimed vide O.F. Bhandara Bill No. 916/P/Fix/Arre/Clk dtd. 27.7.89 and paid on 9.9.89.
4. Rs. 2898/- towards difference of OT Allowance for the period from 1.1.79 to 31.7.89 was claimed vide Bill No. 1174/Sy/OT/Arre/PV dtd. 1.9.89 and paid to him on 27-10-89."

5. In view of this position, it appears to me that the first two prayers of the applicant have been met in full.

6. As regards the 3rd prayer, the applicant has not made out any case as to why he should be paid interest on the arrears which have now been paid to him. I do not, therefore, see any merit in this prayer.

7. In the circumstances, the application is disposed of as no longer surviving with no order as to costs.



(P.S. CHAUDHURI)
MEMBER (A)