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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 749/89
~~XXXXXXXXXX~~
 T.A. No.

198

DATE OF DECISION 21.12.1989

Shri R.N.Bhaqwanani Petitioner

Shri A.S.Bhambhani Advocate for the Petitioner (s)

Versus

General Manager, C.Rly, Bombay V.T. Respondents
 and Others.

Advocate for the Respondent (s)

CORAM

The Hon'ble Mr. M.B.Mujumdar, Member (J)

The Hon'ble Mr. M.Y.Priolkar, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ? *Yes*
2. To be referred to the Reporter or not ? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *Yes*
4. Whether it needs to be circulated to other Benches of the Tribunal ? *Yes*

[Signature]

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY 400 614

DA.NO. 749/89

Shri R.N.Bhagwanani,
28, APURVA Co-operative
Housing Society Ltd. (2nd Floor),
Behind Bank of India, Chembur Naka,
Bombay 400 071.

... Applicant

V/S.

1. The General Manager,
Central Railway, Bombay V.T.
2. The Chief Personnel Officer (Stores),
Central Railway, Bombay V.T.
3. The Superintendent, Printing &
Stationery, Central Railway,
Byculla, Bombay.

... Respondents

CORAM: Hon'ble Member (J) Shri M.B.Mujumdar
Hon'ble Member (A) Shri M.Y.Priolkar

Appearances :

Mr.A.S.Bhambhani
Advocate
for the Applicant

Mr.H.N.Punjabi
Head Time Keeper
for Respondent No. 3.

ORAL JUDGMENT

Dated: 21.12.1989

(PER: M.B.Mujumdar, Member (J))

The applicant has retired as a Book Binder on 3.1.1978 on attaining the age of superannuation. While calculating his pension and death-cum-retirement gratuity (DCRG), only basic pay was taken into consideration. Dearness pay was not taken into consideration. Subsequently the pension was revised by taking into consideration the dearness pay, but the amount of DCRG was not revised by taking into consideration the dearness pay. The difference comes to only Rs.594/-.

.. 2/-

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2. A statement for the difference was prepared by Respondent No. 3 and sent to the Works Accounts Officer, Parel with his letter dated 24.8.1984. But the difference was not paid inspite of the attempts made by the applicant. Finally, the applicant sent an advocate's notice dated 27.10.1988. But still the amount was not paid to him. Hence, the applicant has filed this application for directing the respondents to pay him the difference in death-cum-retirement gratuity of Rs.594/-, with 18% interest from 1982 and cost of this application and advocate's notice.
3. By order dated 6.11.1989 we have issued notices to the respondents regarding admission returnable on today. We had directed them to bring the relevant record.
4. We have just now heard Mr.A.S.Bhambhani, learned advocate for the applicant and Mr.H.N.Punjabi, Head Time Keeper working in the office of Respondent No. 3 who has brought the relevant record. We have heard him also.
5. Mr. Punjabi showed us sanction letter dated 20.12.1989 issued by the Accounts Section sanctioning the difference in death-cum-retirement gratuity of Rs.594/-. Mr. Punjabi stated that the cheque of that amount will be issued to the applicant tomorrow only. We direct that the respondents shall issue cheque of that amount to the applicant within ten days from today.
6. We further feel that the applicant should get interest at the rate of 12% p.a. from 1.1.1982 on Rs.594/-. In addition, he should get cost of this application because he was unnecessarily required to approach this Tribunal. We quantify the cost at Rs.300/-.

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7. We, therefore, direct that the respondents shall pay the amount of interest on Rs.594/- from 1.1.1982 till the date on which the cheque for Rs.594/- would be issued to the applicant plus Rs.300/- as cost of this application within two months from the date of receipt of a copy of this order. The application is disposed of finally.



(M.Y.PRIOLKAR)
Member (A)



(M.B.MUZUMDAR)
Member (J)

Decisions of 21.12.89
sent to parties
on 25.1.90.
Dated: