

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH MUMBAI

ORIGINAL APPLICATION NO:672/99

DATE OF DECISION: 16th March 2000

Shri A.S. Ingale Applicant.

Shri S.P. Inamdar Advocate for
Applicant.

Versus

Union of India and others Respondents.

Shri V.S. Masurkar Advocate for
Respondents

CORAM

Hon'ble Shri S.L.Jain, Member(J)

(1) To be referred to the Reporter or not? No

(2) Whether it needs to be circulated to the other Benches of the Tribunal?

(3) Library. yes

S.L.Jain
(S.L. Jain)
Member(J)

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CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO:672/99

the 1st day of MARCH 2000

CORAM: Hon'ble Shri S.L.Jain, Member (J)

Ashok Shridhar Ingale
Residing at Shivkripa Darbar Galli
Near Shankar Rathi Chakki
At & Post Nandora,
Buldhana.

...Applicant

By Advocate Shri S.P.Inamdar.

V/s

1. Union of India through
The Chief General Manager
Maharashtra Circle
Fountain Telecom
Building No. 2,8th floor
Fort, Mumbai.
2. The General Manager,
Telecom Nasik
Canara Corner,
Nasik.

...Respondents

By Advocate Shri V.S.Masurkar.

O R D E R

{Per Shri S.L.Jain, Member (J)}

This is an application under Section 19 of the
Administrative Tribunals Act 1985 seeking the following reliefs:

- 8.1 That this honorable tribunal may kindly be pleased to direct the respondents to sanction and pay at raate of Rs. 15% of the basic pay to the applicant for the period 18.9.1997 to 30.11.1998 with 18% interest.

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- 8.2 To call for the record of the applicant and see what was hurdle in paying the special pay due to the applicant.
- 8.3 To call for the records and files in which the applicant's applications dated 18.12.1997 and 4.5.1998 for payment of special pay for the period from 18.9.1997 to 30.11.1998 are dealt and why the sanction for the payment of the special pay is delayed.
- 8.4 The respondents may be directed to pay the interest at 18% to the applicant on the amount due to him.
- 8.5 The Honorable Tribunal may grant any other relief, to meet the ends of justice.

2. During the pendency of the OA in written statement, it is stated that the C.G.M. Telecom, Mumbai has already issued an Approval for payment of 15% instructional duty allowance to the applicant vide memo No.STA/AF-20/TES Gr.B/GENL/18 dated 29.9.1999 (Annex. R 11) and payment of the same has been made on 15.11.1999.

3. The applicant was posted in Circle Telecom Training Centre Nasik and was worked for the period from 18.9.1997 to 30.11.1998. The delay on the part of the respondents in paying the 15% instructional duty allowance is on account of his file pending with Directorate in connection with his E.B. and constitution of the ^{inf} screen committee.

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4. Administration is expected to decide such matters well in time. Delay on the part of the respondents regarding screening which has taken place on 17.7.1998 is unwarranted. Even after the screening payment is made on 15.11.1999 even after more than one year and about 4 months. In such circumstances, it is a fit case that the applicant is entitled to interest on the delayed payment from 1.8.1998 till the payment is made i.e. 15.11.1999 at 11% per annum on amount which has fallen due for payment on 1.8.1998 and every month becoming payable.

5. In the result OA is allowed partly and respondents are ordered to pay to the applicant interest at 11% per annum on the amount falling due for payment on 1.8.1998 and every month becoming payable.

6. No order as to costs.

S.L.Jain
(S.L.Jain)
Member (J)

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