

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: **1268/94**

Transfar Application No:

DATE OF DECISION: **6.3.1995**

Shri R.N.Upadhayay

Petitioner

Shri G.S.Walia

Advocate for the Petitioners

Versus

Union of India & Ors.

Respondent

Shri R.K.Shetty

Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri **V.K.Seth, Member (A)**

The Hon'ble Shri

1. To be referred to the Reporter or not ? **X**
2. Whether it needs to be circulated to other Benches of the Tribunal ? **X**

(V.K.SETH)
MEMBER (A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

OA. NO. 1268/94

Shri R.N.Upadhayay

... Applicant

v/s.

Union of India & Ors.

... Respondents

CORAM: Hon'ble Member (A) Shri V.K.Seth

Appearance

Shri G.S.Walia
Advocate
for the Applicant

Shri R.K.Shetty
Advocate
for the Respondents

ORAL JUDGEMENT

Dated: 6.3.1995

(PER: V.K.Seth, Member (A)

By means of this OA. the applicant has prayed for directions to the respondents to pay him regular subsistence allowance to the applicant till he is kept under suspension. He has also prayed for directions to respondents to pay him 18% interest on the delayed payment of subsistence allowance and also raising of the same to 75% of the salary.

2. The applicant was placed under suspension vide orders of the respondents dated 10.4.1994 (page 11 of the OA.). He has represented to the respondents in the matter on 12.9.1994 and some other dates. He also received reply of the respondents (page 22 of the OA.) that the decision will be communicated to him in the matter.

3. The respondents have filed their written statement, a copy of which has also been served on the learned counsel for the applicant. I have also given careful thought to the rival contentions of the learned counsel for the parties.

4. As is clear from the written statement of the respondents, as also admitted by the learned counsel for the applicant, the payment of subsistence allowance has already been made and is now being regularly made. The only dispute left now is regarding the payment of interest on the delayed payment of subsistence allowance for the first few months. The contention of the learned counsel for the applicant is that as the payment has been delayed for no fault of the applicant, the applicant is entitled to 18% interest as claimed in the OA. The learned counsel for the respondents stated at the bar that reasonable interest as may be admissible according to Government rules and instructions on the subject will be paid to the applicant for the delayed payment of subsistence allowance.

5. I order accordingly and the respondents shall ~~on the assurance of their counsel~~ pay the said interest within a period of three months from the date of receipt of this judgement and order. The OA. is disposed of finally. No order as to costs.

V.K.
(V.K.SETH)
MEMBER (A)

mrj.