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CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No: 776/94

Transfer Application No:

DATE OF DECISION: 29.11.1994

Mrs. Ginevieve D'Souza

Petitioner

Shri G.S.Walia

Advocate for the Petitioners

Versus

Govt of India & Ors.

Respondent

Shri S.C.Dhawan

Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri Justice M.S.Deshpande, Vice Chairman

The Hon'ble Shri

1. To be referred to the Reporter or not ? *NO*
2. Whether it needs to be circulated to other Benches of the Tribunal ? *NO*

*M.S.D*  
(M.S.DESHPANDE)

VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH, BOMBAY

(5)

OA. NO. 776/94

Mrs. Ginevieve D'Souza .... Applicant

V/S.

Union of India & Ors. .... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice M.S.Deshpande

Appearance

Shri G.S.Walia  
Advocate  
for the Applicant

Shri S.C.Dhawan  
Advocate  
for the Respondents

GENERAL JUDGEMENT

Dated: 29.11.1994

(PER: M.S.Deshpande, Vice Chairman)

The only relief that is being pressed in view of the reply filed by the respondents is the relief (b) by which the applicant claims interest on the amount of Dearness Relief from 1.7.1986 to 16.1.1993 because the first prayer does not survive as the respondents have in para 7 of the written statement admitted that after re-examining the applicant's case, they are sanctioning the payment of D.A. relief to the applicant w.e.f. 1.1.1986 upto 16.1.1993.

2. Initially the applicant had challenged the order dated 12.10.1993 by which the dearness relief was denied to the applicant as she has resigned from the job on 16.1.1993 but this position need not now be gone into in view of the clear admission by the respondents.

3. With regard to the interest, it is clear that the applicant was deprived of the dearness relief to which she was entitled without any justified reason. The applicant would be entitled for interest on the arrears of dearness relief for the period from 1.1.1986 to 16.1.1993 and this I grant at the rate of Rs.10% p.a. The respondents are directed to pay the amount of arrears together with interest on it as 10% p.a. from 1.1.1986 to 15.1.1993 within two months from the receipt of a copy of this order. No order as to costs.

(M.S.DESHPANDE)  
VICE CHAIRMAN

mrj.