

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION No. 1497 of 1995.
DATE OF DECISION : 09-07-96.

1. P.Koteshwara Rao
2. M.Krishna .. Applicants.

Vs

1. The Controller,
Controllerate of Quality Assurance Systems,
156, Gough Lines, Trimulgherry (PO),
Secunderabad-500 015.
2. The Director General of Quality Assurance(Adm)
Directorate of Administration,
Department of Defence Production
DHQ PO: New Delhi-110 011. .. Respondents.

Counsel for the Applicants : Mr. Jacob for Mr.B.Narasimha
Sarma
Counsel for the Respondents : Mr. V.Rajeswara Rao, Addl.CGSC.

CORAM:-

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

ORDER

Oral Order (Per Hon'ble Shri R.Rangarajan, Member (Admn.)

Heard Mr. Jacob for Mr.B.Narasimha Sarma, learned
counsel for the applicants and Mr.V.Rajeswara Rao, learned
counsel for the respondents.

2. The applicants in this OA pray for the following
directions:-

To pay the thirty percent wages denied for the period
from May, 1989 to September, 1991 amounting to Rs.14,136/- to the
first applicant and from April, 1990 to September, 1991 amounting
to Rs. 6,794/- to the second applicant with interest from the day

21

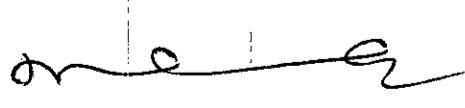
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of its accrual to till the day of payment declaring the denial of wages for the said period as illegal, unjust, arbitrary and violative of Article 14 and 16 of the Constitution of India.

3. To-day the learned standing counsel produced a letter No.4901 dated 03-07-96 addressed to him, wherein it is stated that an amount of Rs.14,136/- to the first applicant and Rs.6,794/- to the second applicant has been paid on 03-04-96 vide Pay Bill No.CQAS/CAN/01/dt.24 Feb.94. This letter is taken on record. The learned counsel for the applicants also submits that he has seen that letter. However, he requests for time to get it verified from his clients. When it is clearly stated in the letter dated 03-07-96 that it has been paid on 03-04-96 there is no need to doubt the veracity of this letter. However, the learned counsel for the applicants is free to check the position from his clients and if the statement is found to be incorrect/false he may file a suitable MA in this OA.

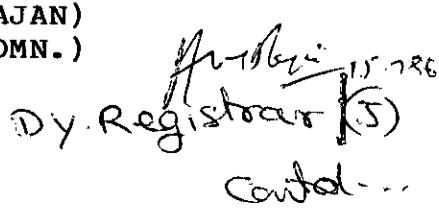
4. The applicants also pray for interest on the amount. The amount payable in the case of the first applicant is for the period from May 1989 to September 1991 and in the case of the second applicant is April 1990 to September 1991. If they have not got 30% of the pay for that period in question they could have filed an OA by the end of September or early December in 1991 itself. Though the applicants submit that they submitted representations and were waiting for reply, this reply is not appealing. When they did not get any suitable reply from the respondents in time they could have approached this Tribunal. Hence it has to be presumed that they have filed this OA belatedly probably with a motive to get interest on that amount. Hence, I do not consider it fit to allow any interest on that delayed payment.

5. In the result, the OA is closed noting the contents of the letter No.4901 dated 03-07-96, with no order for interest. No costs.


(R.RANGARAJAN)
MEMBER (ADMN.)

Dated : The 09th July 1996.
Dictated in the Open Court

SPR


Dy. Registrar (S)
Contd...

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O.A.NO.1497/95

Copy to:

1. The Controller,
Controllerate of Quality Assurance System,
156, Gough Lines, Trimulgherry, (PO),
Secunderabad - 500 015.
2. The Director General of Quality Assurance (Adm),
Directorate of Administration,
Dept. of Defence Production,
DHQ PO, New Delhi- 110 011.
3. One copy to Mr.B.Narasimha Sarma, Advocate,
CAT, Hyderabad.
4. One copy to Mr.V.Rajeswar Rao, Addl.CGSC,
CAT, Hyderabad.
5. One copy to Library,CAT,Hyderabad.
6. One copy for duplicate.

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APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN: M(A)

DATED: 9-7-96

ORDER/JUDGEMENT

O.A.NO./R.A/C.P.No.

in
O.A.NO. 1497/95

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED O A closed
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS.

YLKR

II COURT

No free Copy

Central Administrative Tribunal
HYDERABAD BENCH
22 JUL 1996 N.Y.P
HYDERABAD BENCH