

**Central Administrative Tribunal, Allahabad Bench,
Allahabad**

Original Application No.330/00260/2018

This the 18th day of May, 2018

Hon'ble Mr. Gokul Chandra Pati, Member (A)

Nand Lal Kushwaha son of late Ram Badan Kushwaha
r/o House No. 17/144/15M, Pahadiya , Agrasen Nagar,
Sarnath, Varanasi.

Applicant

By Advocate: **Sri G.C. Maurya**

Versus

1. The Union of India through Secretary,
Communication, Govt. of India, New Delhi.
2. Chief Post Master General, Uttar Pradesh Circle,
Lucknow.
3. Director of Accounts (Postal) U.P.Circle, Lucknow.

Respondents

By Advocate: **Sri L.P. Tiwari**

By Hon'ble Mr. Gokul Chandra Pati, Member (A)

The applicant has filed the present O.A. under Section 19 of the Administrative Tribunals Act, 1985 with the prayer to pay the interest at the rate of 18% per annum to the applicant for extraordinary delayed payment of grade pay of Rs. 5400/- w.e.f. 2009 as well as other retiral dues. Applicant has also prayed for direction the respondent No. 2 to decide the representation dated 18.10.2017 as well as 24.11.2017 moved by the applicant before him expeditiously within stipulated period as fixed by this Tribunal.

2. The brief facts of the case is that applicant was appointed on the post of Postage Clerk in the year 1967. He was promoted on the post of Inspector Post Offices in the year 1974 and again on the post of Officer on Special Duty (OSD), PS Group B officers and retired on 31.5.2006. It is submitted by the applicant that applicant was entitled to get grade pay of Rs. 5400/- w.e.f. 1.1.2006 on completion of 4 years of service in P.S. Group B cadre on regular basis but due to fault committed by the department, the applicant was paid grade pay of Rs. 4800/-. As such applicant moved a representation before respondent No. 2 for re-fixation of pay in the grade pay of Rs. 5400 w.e.f. 1.1.2006 Thereafter vide memo dated 7.4.2017 issued from the office of respondent No. 2 the fixation of pay and up-gradation of grade pay of Rs. 5400/- has been sanctioned to the applicant after a lapse of 11 years whereas the applicant was entitled for Grade pay of Rs. 5400/- w.e.f. 1.1.2006.

3. Now, the applicant has moved a representation dated 18.10.2017(Annexure No. 8 to the O.A.) for payment of interest on delayed payment of pension and pensionary benefits which is still pending for consideration.

4. With the consent of both the parties, heard the learned counsel for applicant Sri G..C. Maurya and

learned counsel for respondents Sri L.P. Tiwari at admission stage.

5. After considering the facts and circumstances of the case, it is felt that no useful purpose will be served in keeping the O.A. pending. Since the representation dated 18.10.2017 (Annexure No. 8 to the O.A.) filed by the applicant for payment of interest on delayed payment of the pensionary benefits is pending before respondent No.2/competent authority for disposal, this O.A. is disposed of with a direction to the respondent No. 2/competent authority to decide the representation dated 18.10.2017 moved by the applicant within a period of 3 months from the date of receipt of certified copy of this order by means of a speaking and reasoned order and decision so taken be communicated to the applicant. It is made clear that the Court has not expressed any opinion on the merit of the case. No order as to costs.

(Gokul Chandra Pati)
Member (A)

Sushil/-

