

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

OA 1896/2014
MA 1636/2014

Reserved on: 22.02.2016
Pronounced on: 26.02.2016

Hon'ble Mr. Justice Syed Rafat Alam, Chairman
Hon'ble Mr. P.K. Basu, Member (A)

Shri Ram Charan S/o Shri Ram Lal
Employee No.2257 Ex. Fitter, 1st Class
Delhi Jal Board
Jhandewalan, Karol Bagh,
New Delhi

... Applicant

(Through Shri Umesh Singh, Advocate)

Versus

1. Government of N.C.T. of Delhi and others
Through its Secretary
Old Secretariat, Delhi
2. Chairman
Delhi Jal Board,
Jhandewalan, Karol Bagh
New Delhi

3. Superintendent Engineer (E&M) WS-III
Mandawali Booster Pumping Station
Delhi-110092

... Respondents

(Through Shri Arvind Kumar Verma, Advocate)

ORDER

Mr. P.K. Basu, Member (A)

This OA has been filed by the applicant seeking the following reliefs:

- i. Pass an order in favour of the applicant
thereby declare the act of the respondent of

not granting the promotional benefits i.e. pay scale and revision of pay, (1) Revision of pay applicable on promotion to the post of Fitter 1st class from the post of Fitter 2nd class, (2) arrears of pay, (3) revision of pension and other pensionary benefits, (4) Benefits of ACP Scheme, and (5) Interest on the delayed payment) as applicable to the applicant are illegal, invalid, arbitrary, unjustified and violative of Art. 14, 16 and 21 of the Constitution of India and violative of the service rules of promotion of the respondent;

- ii. Direct the respondents to consider and finalise the case of the applicant as admitted in reply dated 3.2.2014 and RTI reply dated 18.02.2014 and to pay him revision of pay, arrears of pay differences, revised pension and other pensionary benefits along with interest on delayed payment, as decided in the case of Sh. S.K. Dua Vs. State of Haryana & ors. 2008.
- iii. Pass an order thereby directing the respondent to initiate the Regular Departmental Action against the persons responsible in the matter of not granting the benefits of promotion to the post of Fitter 1st Class (Mech) vide order no. 408 dated 03.10.2005.
- iv. The respondent may be directed to furnish the personal file of the applicant.
- v. Pass any such further order or direction as may in the facts and circumstances of the case deems fit and proper in favour of the applicant and against the respondents.

2. Learned counsel for the applicant states that all reliefs have been granted by the respondents, however, interest on delayed payment has not been paid by the respondents. Thus, it

is prayed that the respondents may be directed to make payment of interest for the delay caused.

3. It appears from para 7 of the reply of the respondents that the applicant was promoted as Fitter 1st Class in the scale of Rs.4000-6000 but his pay could not be fixed in the revised scale due to non-availability of police verification. For the same reason, the benefit of 1st/ IInd and IIIrd MACP also got delayed.

4. We are not convinced with the explanation given by the respondents. It is clear that they had not taken due interest in granting relief to the applicant earlier. From the facts and circumstances of the case, their negligence appears to be writ large and, therefore, the applicant needs to be compensated by payment of interest.

5. We, therefore, direct the respondents to pay to the applicant interest at rates prevalent on GPF from the date the payments were due, within a period of two months of the receipt of a certified copy of this order. The OA is disposed of.

(P.K. Basu)
Member (A)

(Syed Rafat Alam)
Chairman

/dkm/