

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO. 060/1113/2018

Chandigarh, this the 22ND day of May, 2019

...
CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &

...

Ivy Prem Kumari, aged 62 years, w/o late Sh. Vijay Bernard, R/o
H. NO. 27, Anand Vihar, Near Bachpan School, Ambala Cantt. Pin
134003 (Group-B).

....APPLICANT

(BY Advocate: Shri S.K. Daaria)

VERSUS

1. Union of India through Deputy Director, Pay Commission
Railway Board, Marg Sadan Building, Pragati Maidan, New Delhi,
110001.
2. The Divisional Audit Officer, Northern Railway Ambala Cantt
Pin 134003.
3. The Senior Divisional Personnel Officer, Northern Railway
Ambala Pin 134003.

....RESPONDENTS

(By Advocate: Shri Yogesh Putney)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

The present Original Application (O.A.) has been filed by the
applicant against impugned orders dated 22.5.2013 (Annexure P-
3), Audit Note dated 1.8.2014 (Annexure A-4), and order dated
16.08.2013 (Annexure A-5), re-filing the pay of the applicant.

2. Heard Mr. S.K. Daaria, learned counsel for applicant as well
as Mr. Yogesh Putney, learned counsel for respondents.

3. Today, Mr. Yogesh Putney, learned counsel for respondents has produced a copy of Notice dated 7.3.2019, (copy taken on record), passed by respondents and based thereupon he submits that in supersession to earlier orders the respondents have now passed a fresh order, thereby accepting the contention of applicant for grant of 3rd financial upgradation under MACP in the Grade Pay of Rs. 6600/- instead of Rs. 5400/-. After granting the same they have also calculated the amounts and refunded the amount already recovered from the applicant i.e. Rs. 1,66,779/-. They have also given calculation of the total amount, which comes to Rs. 1,85,310/- and after deduction of income tax of Rs. 18,531 the remaining amount of Rs. 1,66,779/- has already been paid to the applicant on 22.3.2019.

4. Thus, the learned counsel for respondents submits that since the grievance raised by the applicant in the present O.A. has been redressed by the respondents themselves by rectifying their mistake by passing a fresh order, therefore, this O.A. has been rendered infructuous and may be disposed of as such.

5. The learned counsel for applicant, however, submits that the applicant may be given a liberty to file a representation to the respondents, if any, amount is left out and the respondents be directed to decide the same within time.

6. Considering the above, the present O.A. is disposed of as having been rendered infructuous, with liberty to the applicant to file a representation to the respondents, if any amount is left out

and the same will be considered by them in accordance with law at the earliest. No costs.

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 22.05.2018
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