

**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI**

O.A.768/2014

Dated this Tuesday the 12th day of February, 2019

**Coram: R. Vijaykumar, Member (A).
Ravinder Kaur, Member (J).**

Smt. Hemangi Sanjay Chaudhari
Age-43 years, Occ-Service,
R/at,
Add-39, Sharmesh Shriniwas Colony,
Khwja Miya Darga Road,
Jalgaon-425001.
Off/At:- Working as Postal Assistant,
O/o. The Superintendent of Post
Officers Jalgaon Division,
Jalgaon-425 001.

...Applicant.

(By Advocate Shri A. D. Joshi).

Versus

1. Union of India & Ors.
Through the Secretary,
Ministry of Communication,
Dept of Post, Sansad Marg, New Delhi-01.
2. Chief Post Master General,
Maharashtra Circle's Office,
Mumbai Region (HQ),
Old GPO Building,
Maharashtra Circle, W.H. Marg,
Near C.S.T. Railway Station,
Mumbai-400 001.
3. The Director of Postal Services
Aurangabad Region,
Aurangabad-431 002.
4. The Superintendent of Post Offices
Jalgaon Division, Jalgaon- 425 001.

... Respondents.

(By Advocate Shri V. S. Masurkar).

O R D E R (O R A L)

Per : R. Vijaykumar, Member (Administrative)

Today when the case is called out, heard
Shri A. D. Joshi, learned counsel for the

applicant and Shri V. S. Masurkar, learned counsel for the respondents.

The applicant had joined the Postal Department in 1996 and was granted her first increment in July, 1997. She filed a representation with respondents on 16.09.2013 asking that increments should be fixed from June, 1997 instead of July, 1997 and pay arrears corrected from June, 1997 onwards. She also obtained information through a colleague under RTI on 13.09.2014 and filed further application on 09.10.2014 asking for the payment of arrears.

The department has examined her request after he filed this OA on 26.11.2014 and in order no.STA/43-SA/XXII/CO-1/2014 dated 10.08.2015, the respondents have granted the payment of arrears of pay and allowances from 01.06.1997 onwards. However, the orders also record that "The official will not get any interest on her increment/arrears of pay and allowances from 01.06.1997." Based on these orders, the amount was paid on 20.08.2015 to the applicant.

Although the applicant has asked for relief of payment of arrears and for interest thereof in her application, she has not amended her application after passing of this order of respondents of 10.08.2015 because with these

orders, such a claim amounts to a separate cause of action which now is restricted to non-payment of interest.

In the circumstances of the case, this application is disposed with the liberty to the applicant to file a representation to the Competent Authority and the respondents including Competent Authority are directed to consider the applicant's representation claiming interest and by reference to her claim for relief and as per rules, and to pass orders within eight weeks thereafter and communicate the same to the applicant within two weeks thereafter. There shall be no order as to costs.

(Ravinder Kaur)
Member (J)

(R. Vijaykumar)
Member (A)

V.

SD
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