



Central Administrative Tribunal  
Principal Bench, New Delhi

O.A. No.169/2003  
M.A. No.176/2003

New Delhi, this the 23rd day of January, 2004

Hon'ble Mr. Justice V.S. Aggarwal, Chairman  
Hon'ble Mr. S.A. Singh, Member(A)

1. Jai Shankar Prasad S/O Sh. Bhadur Ram.  
B-400 Kidwai Nagar East,  
New Delhi-110023
2. Nazir Singh Yadav Son of  
Sh. Raj Kumar Yadav  
R/O H.No. N-164m Teachers Colony,  
Pratap Vihar, Ghaziabad U.P.
3. Ram Pal Singh Son of Shri  
Dungar Singh, Resident of  
H.No. 42/ Block -N Sewa Nagar,  
New Delhi-110003
4. Shri Kanti Swaroop Sharma Son of  
Shri Adal Prasad Resident of  
Flat no. 1166, Pocket -C, LIG Flats,  
East Loni Road, Shahdara, Delhi.
5. Shri Siya Ram Son of Shri  
Babu Lal Resident of  
80/6, Pushp Vihar, N.B. Road,  
New Delhi
6. Madan Lal Son of Late  
Shri Pragu Mal, Resident of  
Qr. No. 310 Block No. 80, Sector-1,  
Peshwa Road, Gole Market,  
New Delhi.
7. Shri K.K. Sharma Son of Shri Chitra Sharma Resident of  
BC-3/46-A Paschim Vihar, New Delhi.

8. Shri Jawala Prasad Son of Shri Reshan Lal Resident of 736, Janta Flats Nand Nagari G.T.B. Enclave, Delhi-93
9. Shri Bhagwan Sahu Son of Shri Vasudev Sahu Resident of 9/201 Kichripur, Delhi-91
10. Shri Sahdeo Prasad Son of Shri Bhulai, Resident of D-370, Ganesh Nagar, Delhi-110092
11. Shri Mohinder Singh Son of Sh. Kishan Lal Resident of 371 Lucknow Road, M.B. Road, New Delhi.
12. Shri Bhej Raj Sharma Son of Shri Pandit Net Ram Sharma, Resident of G-94, Mohan Garden Uttam Nagar, New Delhi
13. Shri Vined Kumar Sharma Son of Sh. Late Krishan Kumar Sharma Resident of 1853 Kucha Khilari Ram Imeli Bazar, Sitapuram, Delhi
14. Shri Ambika Prasad Son of Late Sh. Shiv Kumar, Resident of 524 -E Gali No-4 Prem Gali Babarpur, Shahdara Delhi
15. Sh. Bhagwati Prasad Son of Late Sh. Bachi Ram, Netiyal Resident of 158-B C-1 Mayur Vihar Phase-III, Delhi-96
16. Shri Sardar Singh Son of Late Sh. Ram Naresh Singh Resident of C-41/163, Janta Flats Bhare Road, New Delhi
17. Shri Bhuvnashwar Son of Late Sh. Bhagwan Das, R/O 108-J Gali No 2 Laxmi Nagar, Delhi-92.
18. Sh. Dheop Lal Manjhi, Son of Late Sh. Shivaji Manjhi R/O 86/6 Sector-I Pushp Vihar, M.B. Road, New Delhi.
19. Shri Mehar Chand Son of Sh. Chet Ram, Resident of Office of the Asstt Engineer (E). CCW: AIR: Akashwani Bhawan, New Delhi.
20. Sh. M.M. Sharma, Son of Sh. B.L. Sharma, Resident of RZ-/L72 Mahabir Enclave, Palam New Delhi-45.
21. Sh. Amar Nath, Son of Sh. Bhikha Ram, R/O RZE 673/11, Gali no 20, Sadh Nagar Palam Colony, New Delhi-45.
22. Sh. Chandra Dev Mehta, Son of Sh. Babu Lal R/O H.No G-21 Sector-4 Raja Bazar, Gole Market, New Delhi-1.
23. Sh. Mohinder Pathak Son of Shri (Late) Harawari Lal Pathak R/O G-94 Mohan Garden Uttam Nagar, New Delhi.

24. Sh. Pyare Lal s/o Sh. Tirkha Ram R/o H.No. 335 Sector 3 M.B. Road, Pushp Vihar, New Delhi.
25. Sh. Seran Singh S/o Sh. Saiv Singh R/o H-13, Saurabh Vihar, Hari Nagar New Delhi (Lalitpur Road).
26. Sh. Munni Lal, S/o Sh. Ram Pyare, R/o 2297 Lodhi Complex, N. Delhi
27. Sh. M.P. Gupta, S/o Sh. Mahavir Gupta R/o 247A Rishi Nagar Bani Bagh, Delhi.
28. Sh. R.Y. Verma, S/o Sh. B.C. Verma R/o Office of Asstt. Engineer C.C.W. (E) Akashwani Bhawan, New Delhi-
29. Sh. Bharat Singh S/o Sh. Paras Ram R/o Office of Asstt. Engineer (E) C.C.W. Akashwani Bhawan, New Delhi.
30. Sh. Ram Vihar, S/o Sh. Ram Ayedhya R/o 46-F Ram Bagh New Delhi.
31. Sh. Swresh Chand, S/o Sh. Sukh Lal R/o F-519, Gali No.17, Chand Bagh Colony Delhi-94.
32. Sh. Jagpal Singh S/o Sh. Bharat Singh R/o HNO.170/1st M.B. Extn, Badarpur New Delhi.
33. Sh. V.R. Tyagi, S/o Sh. Bhakir Chand Tyagi R/o HNO. 160 Prem Nagar, New Delhi.
34. Sh. Jawahar Ram, S/o Sh. Ghurahu Ram R/o 2/6-B, Rajapuri Uttam Nagar, New Delhi.
35. Sh. Chander Pal S/o Sh. (Late Anra Jatev R/o H.No. 1/3680, Dakkhana Gali Ram Nagar Vista Shahdara Delhi-32.
36. Sh. Shatrughan S/o Late Sh. Ramanand R/o WC-112, Netaji Nagar, New Delhi.
37. Sh. Shankar Prasad, S/o Late Sh. Kuldip R/o HNO. 330 Sector-3, M.B. Road Pushp Vihar, New Delhi.
38. Sh. Dharam Vir Singh S/o Sh. Ganga Ram R/o RZ-145 'V' Block 'C' Sec. Bhagwati Vihar Uttam Nagar New Delhi-59.
39. Sh. Ram Singh S/o Sh. Natthi Ram R/o Sector 3 Q.No. 715 M.B. Road Saket New Delhi.
40. Sh. Sita Ram S/o Sh. Viswanath Verma R/o Q.No. 27/315, Prem Nagar Lodi Road New Delhi -3.
41. Sh. V.K. Gupta S/o Sh. Jai Bhagwan Gupta R/o A/345/1, Shastri Nagar Delhi-52.
42. Sh. Manjit Singh S/o Sh. M.C. Singh R/o Office of Asstt Eng.(E) C.C.W. A.I.R. Akashwani Bhawan New Delhi-1

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43. Mahipal Singh S/o Shri Gabber Singh  
R/o Q.No.39, IInd Floor Sect.  
Timarpur, Delhi

44. Sh. Ram Phal S/o Shri Bhundu Ram,  
R/o Q.No.910, Sector-7, R.K. Puram  
New Delhi

45. D.D. Sharma S/o Shri Bhooder Prasad  
R/o E-190, Jalvihar Colony,  
Najaf Garh, New Delhi-43

.....Applicants

(By Advocate: Shri T.C. Aggarwal)

Versus

1. Secretary  
Ministry of Information and Broadcasting,  
Shastri Bhawan, New Delhi-1

2. The Director General  
All India Radio  
Parliament Street, Akashwani Bhawan,  
New Delhi.

3. The Chief Engineer,  
Civil Construction Wing,  
6th Floor, Soochna Bhawan,  
New Delhi

.....Respondents

(By Advocate: Shri M.M. Sudan)

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

The controversy in the present case is within a narrow compass.

2. The applicants are Group 'C' employees. They got arrears of pay in a lumpsum. The respondents while paying the arrears of the salary made a lumpsum deduction from the same taking it as the income from one financial years.


3. The applicants, by virtue of the present application, seek that payment should be made calculating their income yearwise with arrears because according to them, it is the obligation of the respondents to get a


*CS Aggarwal*

refund and give certificate in this regard.

4. The basic facts have not been disputed. However the difficulty pointed was that once the deduction has been made, the refund can only be given by the Income Tax Department.

5. Keeping in view that the facts were not in controversy, we direct that respondents will re-calculate the income of individual applicants with arrears of each year. The applicants would thereupon fill up necessary form 10-E which can be verified with factual position by the respondents and forwarded to the Income Tax authorities for doing the needful in the matter. O.A. is disposed of.

  
( S.A. Singh )  
Member (A)

  
( V.S. Aggarwal )  
Chairman

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