

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO.490 OF 2018

Shri P.K. Shelar)...Applicant

Versus

The Principal, I.T.I, Dindori, Nashik & 3 Ors.)...Respondents

Mr. A.V. Bandiwadekar, Advocate for Applicant.

Mr. A.J. Chougule, Presenting Officer for Respondents.

CORAM : SHRI A.P. KURHEKAR, MEMBER (J)

DATE : 25.10.2018

JUDGMENT

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.
2. The subject matter of this O.A. pertains to denial of revised pay fixation as per 5th and 6th Pay Commission Recommendations and consequential service benefits.
3. The Applicant was appointed as Instructor in 1976. However, later he was declared surplus, but again he was absorbed in service. He made various representations to the Department for fixation of appropriate pay scale. According to Applicant, he has been subjected to discrimination, as other identically placed employees were absorbed and appropriate pay scale was granted to them. Ultimately, having found no response from the Respondent No.2, the Applicant has filed the present O.A.
4. During the pendency of this matter, the Respondent No.2 by order dated 31.08.2018 revised the Applicant's scale in appropriate manner as per his entitlement and the arrears were ultimately paid.

5. The issue now remains about the interest part on the arrears paid to him belatedly. The Applicant has already made representation to the Respondent No.2 on 17.10.2018 demanding interest on belated payment of arrears. The said representation is not yet decided.

6. In view of above, the learned Advocate for the Applicant and the learned Presenting Officer for the Respondents submitted that this O.A. be disposed of with direction to the Respondent No.2 to decide the representation of the Applicant dated 17.10.2018 in respect of interest on delayed payment. According to the Applicant, the arrears were paid after 14 years and thereby he suffered monetary loss.

7. In view of above, this O.A. is disposed of with direction to the Respondent No.2 to consider and decide the demand of interest made by the Applicant in accordance with Rule 129-B(2) of Maharashtra Civil Services (Pension) Rules, 1981 within a period of two months from today.

8. The Original Application stands disposed of accordingly with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member-J

Mumbai

Date : 25.10.2018

Dictation taken by :

S.K. Wamanse.

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