

MAHARASHTRA ADMINISTRATIVE TRIBUNAL**NAGPUR BENCH NAGPUR****ORIGINAL APPLICATION NO. 832 / 2019 (S.B.)**

Shri Ashok S/o Marotrao Tambe,
Aged about 61 years, Occupation:-Retired,
R/o Plot No. 53, Kanfade Nagar,
C/o Pragati Colony, Plot No. 1,
Sai Mandir, Wardha Road, Nagpur.

Applicant.

Versus

- 1) State of Maharashtra,
through its Principal Secretary,
Public Health Department,
G.T. Hospital Complex Building,
10th Floor, New Mantralaya, Fort,
Mumbai- 400 001.
- 2) Deputy Director of Health Services,
Nagpur Region, Mata Kacheri Compound,
Sraddhanand Peth,
Nagpur-440 022.
- 3) Medical Superintendent,
Sub District Hospital, Ramtek,
District - Nagpur.

Respondents

Shri N.D.Thombre, Id. Advocate for the applicant.

Shri S.A.Sainis, Id. P.O. for the Respondents.

Coram :- Hon'ble Shri M.A.Lovekar, Member (J).

JUDGMENT

Judgment is reserved on 09th March, 2022.

Judgment is pronounced on 11th March, 2022.

Heard Shri N.D.Thombre, Id. counsel for the applicant and Shri
S.A.Sainis, Id. P.O. for the Respondents.

2. The applicant is husband of Smt. Prabha Tambe. She retired as Staff Nurse on 31.05.2014. She was working on the establishment of respondent no. 3. She was sanctioned time bound promotion under Assured Progressive Scheme by respondent no. 3 by order dated 28.12.2012 (A-3) w.e.f. 29.10.2008. Respondent no. 3 then re-fixed her pay by order which is at Annexure-4. Arrears as per re-fixation were, however, not paid to her for the period from April, 2010 to May, 2014. For payment of arrears she made a representation (Annexure-5). She retired on 31.05.2014. She died on 19.06.2016. During her lifetime these arrears were not paid. Thereafter the applicant made representations (A-6, collectively) for paying the arrears. His last representation is dated 01.07.2019 (A-7). Still the arrears were not paid. Hence, this application.

3. Shri N.D.Thombre, Id. counsel for the applicant made a statement at the Bar that arrears have been paid by the respondent department and therefore, the only issue that survives is of interest on delayed payment. By order dated 28.12.2012 (A-3) time bound promotional scale was given to the applicant's deceased wife. Thus, from 28.12.2012 interest will have to be paid on the arrears. Hence, the order:-

ORDER

Application is allowed in the following terms:-

1. Respondent nos. 2 & 3 are directed to pay interest on arrears @ 6 % p.a. to the applicant from 28.12.2012 till the date of actual payment. Payment of interest on arrears shall be made within one month from the date of receipt of this order.
2. No order as to costs.

(Shri M.A.Lovekar)
Member (J)

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : Akhilesh Parasnath Srivastava.

Court Name : Court of Hon'ble Member (J).

Judgment signed on : 11/03/2022.
and pronounced on

Uploaded on : 14/03/2022.