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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 11879/2018**

DEVENDRA KUMAR GUPTA

..... Petitioner

Through: Petitioner in person.

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Mr. Rakesh Kumar, CGSC with
Mr. Raghav Nagar, Advocates for
Union of India.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

s

ORDER

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21.01.2020

1. The Petitioner has filed this petition for challenging an order dated 11th October, 2018 of the Central Administrative Tribunal ('CAT') dismissing his O.A. No. 3859/2018.

2. The Petitioner had filed the aforesaid O.A. with two prayers. The first was for a direction to the Respondents to pay interest at the rate of 12% per annum on the arrears due to upon the revision of pay effective from 1st April, 2012, pension effective from 1st February, 2015, and grant of Non-Financial Upgradation ('NFU') in HAG scale effective from 1st April, 2012. The second prayer was to direct the Secretary, Department of Telecommunications to investigate those responsible for the delay in the payment of the above amounts.

3. The CAT has taken note of the fact that there was some uncertainty in the matter of the fixation of the Petitioner's pay scale, and regarding the extension of the benefit of the NFU to him, due to which the Petitioner's case had suffered from ordinary administrative delay. It was also observed that since there was no specific provision of law for the grant of interest to the Petitioner, the relief as prayed for could not be granted.

4. During the course of arguments today, the Petitioner, who appears in person, confines his prayer to seeking interest on the amount that accrued to him upon the grant of NFU in the HAG scale from the date on which his order of promotion was issued, i.e. 28th July, 2017, till the date of its actual payment, i.e. 22nd March, 2018.

5. Having heard counsel for the Respondents, the Court is of the view that for the aforesaid period between 28th July, 2017 and 22nd March, 2018, the Respondents should pay the Petitioner simple interest at 6% per annum on the sum so paid. This payment of interest should be made within a period of 8 weeks from today, failing which additional interest at 9% per annum for the period of delay shall be paid.

6. The petition is disposed of in the above terms.

S. MURALIDHAR, J.

TALWANT SINGH, J.

JANUARY 21, 2020/tr