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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1423/2024

ASHOK K MANCHANDA

..... Petitioner

Through: Petitioner in person.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Ms Anju Gupta and Mr Bhuvan Goel,
Advs. for UOI/R-1.
Mr. Henu Bhaskar, Adv.for R-2 & 3.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

27.02.2024

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1. Pursuant to the last order, the petitioner has filed an additional affidavit.
2. Having perused the said affidavit, we are inclined to accept the petitioner's plea that the O.A. was filed in time.
3. As noted in the last order, the present petition under Article 226/227 of the Constitution of India has been filed assailing the order dated 03.08.2023 passed by the learned Central Administrative Tribunal in O.A. No. 1427/2017 insofar as it does not grant any interest in favour of the petitioner despite accepting his prayer for stepping up of pay w.e.f. 01.06.2001.
4. Issue notice. Ms Gupta and Mr. Bhaskar accept notice on behalf of respondent no. 1 and respondent nos. 2 & 3, respectively. Learned counsel for the respondents support the impugned order and submit



that payment in terms of the impugned order has already been released in favour of the petitioner and therefore there is no justification for granting him any interest at this stage.

5. Having considered the submissions of learned counsel for the parties and perused the record, we find that the learned Tribunal came to a categorical conclusion that the respondents were at fault in not correctly fixing the pay of the petitioner w.e.f. 01.06.2001 thereby depriving him of the amount payable to him for over 20 years. In these circumstances, the learned Tribunal ought to have granted at least some interest to the petitioner for the delayed stepping up of his pay. The learned Tribunal appears to have lost sight of the fact that interest is not only by way of penalty but is also awarded to compensate the aggrieved person who was deprived of the opportunity to utilize the amount during the said period.
6. The writ petition is, accordingly, allowed by modifying the impugned order and directing that the petitioner will be paid simple interest @7.5% per annum on the amount payable to him from the due date till the date of payment. The interest in terms of this order will be paid to the petitioner within a period of eight weeks.

REKHA PALLI, J

GIRISH KATHPALIA, J

FEBRUARY 27, 2024

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