HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 16327 of 2026

The Union of India and 7 others

.....Petitioner(s)

Versus

Nikhil Kumar and 4 others

.....Respondent(s)

Counsel for Petitioner(s) : Krishna Agrawal
Counsel for Respondent(s) :

Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE KSHITIJ SHAILENDRA, J.

1. This petition is directed against order dated 15.12.2023 passed by Central Administrative Tribunal, Allahabad Bench, Allahabad in Original Application (O.A.) No. 956 of 2023, whereby the Tribunal has allowed the O.A. and directed the appellants to ensure that the benefit of judgement passed in the case of **M. Subramainam Vs. Union of India;** Writ Petition No. 13225 of 2010 decided on 06.09.2010 be given to the respondents along with interest.

2. Counsel for the petitioner fairly submits that the issue as raised in the present writ petition is squarely covered by order of this Court in the case of **Union of India and 5 others Vs. Sushil Kumar Srivastava and another;** Writ A No. 19808 of 2025, wherein after considering the issue as raised, the writ petition has been dismissed.

3. This Court in the case of **Sushil Kumar Srivastava (supra)**, after hearing the parties, came to the following conclusion:

> *"5. We have considered the submissions made and have perused the material available on record.*
>
> *6. It is not in dispute that the judgement, which has formed the basis of granting relief to the respondent, was delivered way back in the year 2010 and the same became final with the judgement of Hon'ble Supreme Court in the year 2017 and the dismissal of the review petition in the year 2018. The respondent became entitled for the benefit of NFG in the year 2021 itself, however, the same was not granted resulting in filing of the petition in the year 2024, which was allowed by following the judgement in the case*

*of **M. Subramaniam** (supra) and the relief was confined based on the judgement in the case of **Union of India & Others Vs. Tarsem Singh: (2008) 8 SCC 648** i.e. for three years prior to the date of filing of the application before the Tribunal and interest was awarded @ 6% per annum.*

7. Once the entitlement of the respondent was since the year 2021 and the same was not granted, it cannot be said that the Tribunal was not justified in awarding the interest that also @ 6% per annum on the amount to which the respondent would be entitled, which cannot even be termed as excessive. The award of interest is compensatory in nature and the petitioners should not take it as if the same is, in any manner, penal against them.

8. In that view of the matter, we do not find any reason to interfere with the order passed by the Tribunal. The petition has no substance and the same is, therefore, dismissed."

4. In view of the order passed in the case of **Sushil Kumar Srivastava** (supra), no case for interference is made out in the present petition, the same is, therefore, **dismissed**.

(Kshitij Shailendra,J.) (Arun Bhansali,CJ.)

October 6, 2026
Sandeep/Jyotsana

Digitally signed by :-
SANDEEP KUMAR
High Court of Judicature at Allahabad