

11

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 2290/2002

New Delhi, this the 16th day of July, 2003

Hon'ble Sh. Shanker Raju, Member (J)

K.K.Dutta
C/o Sh. S.L.Mehta
69, Bharat Nagar
Delhi - 110 052.

...Applicant

(By Advocate Sh. K.B.S.Rajan)

V E R S U S

Union of India through

1. The Secretary
Dept. of Company Affairs
5th Floor, Shastri Bhawan
New Delhi.

2. Regional Director (NR)
Dept. of Company Affairs
Office of the Regional Director (NR)
10/499-B, Allenganj
P.P.Box No.137
Kanpur - 208 002.

3. The Pay & Accounts Officer
Dept. of Company Affairs
Room No. 106, Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi - 110 003.

...Respondents

(By Advocate Sh. R.N.Singh)

O R D E R (ORAL)

Shri Shanker Raju,

Applicant had earlier approached this Court in OA 1107/2001 filed RA 32/2002. By an order dated 6-2-2002, RA was allowed and respondents have been directed to grant to the applicant provisional pension within two months from the date of receipt of a copy of order. In so far as payment of other retiral benefits and interest is concerned, respondents have been directed to consider it at appropriate time in accordance with law.

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2. As the applicant was involved in disciplinary proceedings, as per Rule 9 of the CCS (Pension) Rules, he is not entitled for gratuity, commutation of pension as well as full pension. However, salary for the period 1-9-2000, provisional pension, leave salary, CGEIS and Provident Fund were released to him in November, 2002 as well as January, 2003 which is according to the 1d. counsel for the applicant has been disbursed after delay and as per the Rules he is entitled for the interest.

3. Sh. R.N.Singh, 1d. counsel appearing for the respondents contested the OA and stated that the admissible amount has already been paid and in so far as interest is concerned, as the reply is not clear as to the averment put forth by the applicant regarding delay in payment of the aforesaid amount, the same would be considered by them.

4. Having regard to the above, OA is disposed of with directions to the respondents to consider accord of admissible due interest on the aforesaid amount as per relevant rules if delay has taken place in its disbursement. Moreover, it is observed that provisional pension of the applicant should be timely released to him.

5. OA is disposed of as above.

S. Raju

(SHANKER RAJU)
MEMBER (J)

/vks/