

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 2322/2001

This the 24th day of September, 2002

HON'BLE SH. KULDIP SINGH, MEMBER (J)

Dr. Pradeep Chadha
9, National Park,
Lajpat Nagar-IV,
New Delhi.

(By Advocate: Sh. Kanwal Sapra)

Versus

1. Secretary, Ministry of Health
& Family Welfare,
Nirman Bhawan,
New Delhi.
2. Medical Superintendent,
Safdarjung Hospital,
New Delhi.

(By Advocate: Sh. Mohar Singh)

O R D E R (ORAL)

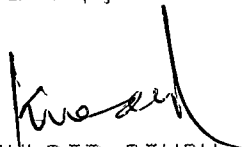
By Sh. Kuldip Singh, Member (J)

Applicant who was working as a Specialist in Safdarjung Hospital has tendered his resignation vide Annexure A-7 on 18.10.96. Thereafter he kept waiting about response from the department but no response was received. Applicant then stopped going to hospital from 17.1.97 as it was alleged that the office of the department informed the applicant that written communication confirming acceptance of the resignation would be intimated in due course. So he stopped doing his duty. However, his resignation was accepted on 26.3.98 vide Annexure A-1 and the period from 17.1.97 to 26.3.98 was treated as dies non.

2. Thereafter the question arises about the release of Provident Fund which was standing in the credit account of the applicant and also the arrears of the salary upto the period 17.1.97. The said amount is stated to have been released to him in September, 1999. Applicant has filed this OA that

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since both these payments have been delayed so applicant is entitled for interest thereon. As regards the Provident Fund is concerned, the respondents are directed to pay the interest to the applicant as per the rules of the Provident Fund itself. If the same has not been calculated upto the date of payment as per the arrears of salary are concerned since the applicant had made a clearcut request for resignation vide Annexure A-5, it was supposed to have been accepted by one month as per the terms of the appointment letter but the same has not been accepted so still applicant worked for 3 months upto 17.1.97. The arrears of salary which have been released in the month of September, 1999, are quite delayed. The applicant in my view is also entitled to interest thereon @ 12%. Accordingly, I allow the OA with the direction that the interest will be calculated from the date when the amount had fallen due up to the date of release of the payment, as the payment was released in September 1999, within a period of 2 months from the date of receipt of a copy of this order.


(KULDIP SINGH)
Member (J)

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