

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.69/2001

Wednesday, this the 10th day of January, 2001.

Hon'ble Shri S.A.T. Rizvi, Member (A)

O.P.Chaudhary,
R/O House No.222,
Village Kurrari, Suleman Nagar,
Nangloi, Delhi-41.

..Applicant.

(By Advocate: Shri M.K.Bhardwaj through
Shri A.K.Bhardwaj)

VERSUS

1. Union of India

Through

The General Manager,
Northern Railway,
Baroda House, New Delhi.

2. The Dy. Chief Engineer /Const. (NR)
Patel Nagar, Station Complex,
Rama Road, New Delhi-15.

3. The Sr. D.A.O.,
DRM Office, Northern Railway,
Allahabad, UP.

..Respondents.

O R D E R (ORAL)

Heard the learned proxy counsel for the applicant.

2. The applicant in this OA superannuated as PWI Gr.I on 30.6.96. The retiral benefits accruing to him in consequence of the ~~same~~ service rendered by him, should have been paid to him within a reasonable time thereafter. The respondents have, however, delayed the payment of the DCRG and pension in each case by more than one year. The DCRG has been paid to him in August, 97 whereas the pension was released in January, 98. The applicant seeks payment of interest @ 18% p.a. on the *aforesaid* amounts paid with delay.

Dr


3. According to the practice followed in several cases, interest is generally allowed @ 12% in all cases in which delay takes place not on account of the actions of the applicant but wholly due to the internal delays within the respondents' organisation. On the basis of the facts mentioned in the OA, I find it difficult to conclude that the aforesaid delay has been occasioned due to any delay on the part of the respondents. It would be necessary, therefore, to give them an opportunity to scrutinize their record and to find out for themselves whether the aforesaid delays have taken place as stated on account of internal delays within the organisation or on account of the actions of the applicant. Based on the respondents' own assessment of the situation, they can make payment of interest to the applicant, and when they do so, the amount should be calculated @ 12% p.a. which is generally allowed in all such cases. *The learned counsel finds himself in agreement with this approach.*

4. In the peculiar circumstances of this case, I, therefore, find that it will be fair and proper to dispose of this OA at this very ~~admission~~ stage by directing the respondents to assess the situation as stated in the ~~proceedings~~ paras and to pay interest to the applicant covering the periods of delay as assessed by them on the basis of their own record @ 12%. They are accordingly directed to make the aforesaid payments as expeditiously as possible and in any event within a period of three months from the date of receipt of a copy of this order.

(3)

5. The OA is disposed of in the aforesaid terms at the admission stage itself.

8. Registry is directed to send a copy of the OA along with this order.


(S.A.T. Rizvi)
Member (A)

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