

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.NO.1354/99
M.A.No.1821/99

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 15th day of October, 1999

Sukhdev Singh
s/o Shri Fouja Singh
(Retd) Assistant Station Master
Ferozepur
r/o SE-14, Singalpura
Shalimar Bagh
Delhi. ... Applicant

(By Shri B.S.Mainee, Advocate)

Vs.

Union of India through

1. The General Manager
Northern Railways
Baroda House
New Delhi.
2. The Divisional Railway Manager
Northern Railway
Ferozepur
Punjab. .. Respondents

(None)

O R D E R

The applicant, at the time of his superannuation from railway service on 30.4.1995, was in occupation of a railway quarter. In accordance with the rules, he had applied for retention for 8 months. It was allowed by the competent authority, on payment of normal rent of four months and double the normal rent, for the subsequent four months. The applicant ultimately vacated the quarter on 5.1.1996. The applicant's grievance is that his gratuity was withheld and released only on 6.9.1996 but in doing so the respondents did not pay the interest on account of the delay. The applicant submits that he made a number of representations for payment of interest but as no response thereto has been received by him, he has

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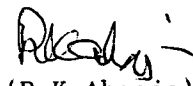
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filed the present OA with the prayer that the respondents be directed to pay interest at the rate of 18% per annum from September, 1995 to August, 1996.

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2. I have heard Shri B.S.Maine, learned counsel for the applicant on admission. On applicant's own admission, he vacated the railway quarter only on 5.1.1996. The gratuity should have been released to him within a reasonable period thereafter. It was however released to him on 6.9.1996 i.e., after a period of 8 months. Nevertheless, the applicant is entitled to no relief as he filed the present OA on 1.6.1999, i.e, two years and 10 months after the cause of action arose. Patently the claim for interest is now time barred. The applicant has also filed an MA No.1821/99 for condonation of delay. Since no good ground has been mentioned in the MA, the same is rejected.

3. In the result the OA is summarily dismissed at the admission stage itself on account of laches and limitation.


(R.K.Ahooja)
Member(A)

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