

Central Administrative Tribunal
Principal Bench

O.A.No.328/99

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

New Delhi, this the 20th day of September, 1999

Shri Virender Mohan Thareja
Junior Scientific Officer (Retd.)
Resident of House No.30, Pocket GG-III
Vikaspuri
New Delhi - 110 018.

Applicant

(Applicant in person).

Vs.

1. Union of India through
its Secretary
Ministry of Defence/South Block
New Delhi - 110 001.
2. Controller General of Defence Accounts
West Block 5, R.K.Puram,
New Delhi.
3. Chief Controller of Defence Accounts (Pension)
Allahabad. ... Respondents

(By Shri K.R.Sachdeva, Advocate)

O R D E R (Oral)

The applicant retired as Junior Scientific Officer, from the service of the respondents on 31.12.1997. His grievance is that though he had furnished all the particulars well in time, within six months prior to his date of retirement, the respondents did not finalise his retiral benefits including the pension, gratuity, commutation of pension till August, 1998. On this account he seeks a direction to the respondents to pay him interest at the rate of 15% to 18% per annum on various payments due to him which have been delayed by the respondents.

2. The respondents in their reply have stated that every effort was made to make the payments in time. However due to certain intra departmental

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queries, the finalisation of the pensionary benefits of the applicant took time and the same was released as soon as complete information was available.

3. I have heard the counsel. It is fairly stated by the learned counsel for the respondents that the delay took place because certain information was not available with the audit. There is no assertion that the delay was caused by any act of commission or omission on the part of the applicant. In view of this position, the applicant is entitled to the payment of interest on the retiral benefits. Accordingly, the OA is disposed of with the following directions:

a) The applicant is entitled to 12% interest on payment of pension arrears from 1.1.1998 to 28.9.1998.

b) The applicant is also entitled to 12% interest on the amount of gratuity for the period three months from the date of his retirement to the date of the actual payment, i.e., 28.9.1998.

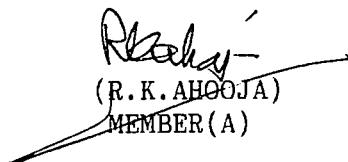
c) No interest is due to on the payment of commutation amount since the interest is being allowed on the arrears of pension.

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d) The respondents will comply the
above directions within three
months from the date of receipt
of a copy of this order.

The OA is disposed of with the above
directions. No costs.


(R.K. AHOOJA)
MEMBER (A)

/RAO/