

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. NO.368/2000 In
O.A. NO.1186/99

New Delhi this the 3rd day of ~~December~~^{January}, 2000

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HON'BLE MR.V.K. MAJOTRA, MEMBER(A)
HON'BLE MR SHANKER RAJU, MEMBER (J)

G.R. Nigam,
S/O late Shri A.R. Nigam,
R/o A-149 Ashok Vihar,
Phase-I, Delhi-110052

-Applicant

(By Advocate:Shri D.R. Gupta)

Versus

1. Shri P.S. Bhatnagar,
Chief Secretary,
Govt. of NCT of Delhi
5, Sham Nath Marg,
Delhi.
2. Shri Narendra Prasad,
Secretary (Education),
Govt. of NCT of Delhi,
Old Sectt.,
Delhi.

-Respondents

(By Advocate: Shri Vijay Pandita)

ORDER (Oral)

Mr. V.K. Majotra, Member (A)

Shri D.R. Gupta, learned counsel for the petitioner has stated that whereas he is satisfied about the calculation of interest on GPF and delayed payment of DCRG which has also been paid to the applicant, he expressed dis-satisfaction about the calculation of interest on delayed payment of commuted value of pension. He stated that whereas as per the calculation sheet, the total commutation calculates to Rs. 82,640/- and interest thereon works out to Rs. ~~82001/-~~^{8261/- pm.}. The respondents instead of deducting the interest payable on the commuted portion have deducted the entire commuted portion of pension i.e. Rs.

(2)

702/-p.m. It was explained by Shri Vijay Pandita and the Officer accompanying him that since the applicant had been paid along with the provisional pension, one-third admissible for commutation i.e. Rs. 702/- per month also the entire amount of Rs. 702/- has been deducted from the interest on commuted value of Rs. 826/- per month. In our view the calculation made by the respondents is absolutely correct.

2. Although the directions regarding payment of interest on delayed payment of retiral benefits of the applicant have now been complied by the respondents, we are constrained to mention that delay has been caused in compliance of the directions of the Court by the respondents regarding payment of interest on the delayed payment of retiral benefits. However, now that the entire interest has been paid to the applicant we do not take a serious view and discharge the notices against the respondents and dispose of the C.P. as having been rendered infructuous. No costs.

S. Raju
(Shanker Raju)
Member (J)

V.K. Majotra
(V.K. Majotra)
Member (A)

cc.