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CENTRAL ADMINISTRATIVE TRIBUNAL.
PRINCIPAL BENCH: NEW DELHI

OA No. 1410/98

New Delhi, this the 17th day of March, 1999

HON'BLE SHRI T.N. BHAT, MEMBER (J)
HON'BLE SHRI S.P. BISWAS, MEMBER (A)

In the matter of:

1. Shri C.S. Shukla s/o late Sh. M.L. Shukla,
R/o A-4, East Azad Nagar,
Delhi - 51.
2. Shri A.D. Ahuja s/o Sh. Rama Nand,
R/o F-12 Ashok Vihar,
Phase-I, Delhi - 52.Applicants

(By Advocate: Shri D.R. Gupta)

Versus

Union of India through:

1. The Joint Secretary to Govt. of India
(UT) Ministry of Home Affairs,
New Delhi.
2. Govt. of N.C.T. of Delhi through
The Chief Secretary,
Sham Nath Marg, Delhi.
3. Director of Vigilance,
Govt. of NCT of Delhi,
Old Sectt., Delhi - 54.Respondents

(By Advocate: Shri N.S. Mehta for R-1 &
Shri Rajinder Pandita for R-2 & R-3).

O R D E R (ORAL)

delivered by Hon'ble Shri T.N. Bhat, Member (J)

Shri N.S. Mehta, learned counsel for respondent no. 1 produces before us copies of two separate orders dated 10.3.1999 passed by the competent authority, namely, the Director (CPS) in the Ministry of Home Affairs by which both the applicants have been fully exonerated of the charges. Learned counsel for the respondents, therefore, pray that this OA may be dismissed as having been rendered infructuous.

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2. We, however, notice that no orders relating to the payment of the consequential benefits in the shape of leave encashment and other post retiral benefits have been passed. Further, learned counsel for the applicants prays for a direction to the respondents to pay interest @ 12% per annum as according to him this is a statutory right of the applicants under Rule 68 of the Pension Rules.

3. We have carefully considered the contentions raised by the learned counsel for the applicants and the reply thereto given by the learned counsel for the respondents. In our considered view a time bound direction to the respondents to pay the applicants all the post retiral benefits would meet the ends of justice in this case. In case the respondents fail to pay the consequential benefits to the applicants they will have to pay interest.

4. In the event, this OA is disposed of with a direction to the respondents to pay all the consequential benefits of the orders dated 10.3.1999 to the applicants in the shape of post retiral benefits within a period of two months from today, failing which the applicants shall be entitled to interest @ 12% per annum from the date the aforesaid period expires.


5. Shri D.R.Gupta, counsel for the applicants states that the aforesaid order would not satisfy the applicants. We notice that in the OA also the applicants have made a prayer that interest should be paid to the applicants if the respondents fail to pay retiral benefits


[Signature]

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within 30 days from the date of passing of the order. We are therefore convinced that the plea raised by the applicants' counsel is not tenable.

6. With this order this OA is disposed of.


(S.P. Biswas)
Member (A)

 17.3.99.
(T.N. Bhat)
Member (J)

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