

(8)

Central Administrative Tribunal
Principal Bench

O.A. No. 1832 of 1998

New Delhi, dated this the 6th April, 1999

Hon'ble Mr. S.R. Adige, Vice Chairman (A)

Shri R.K. Gupta,
Postal Asst. (Retd.),
S/o late Shri Tek Ram,
R/o N-22, Vijay Vihar, Mangal Bazaar,
Uttam Nagar,
New Delhi-110059. ... Applicant

(By Advocate: Shri G.S. Lobana)

Versus

1. Union of India through
the Secretary,
Dept. of Posts, Dak Bhawan,
Parliament St., New Delhi.
2. Chief Post Master General, Delhi Circle,
Meghdoot Bhawan, Link Road,
New Delhi-110001.
3. Sr. Supdt. of Post Offices,
New Delhi, West Division,
Naraina Industrial Estate,
New Delhi-110028.
4. The Addl. Secretary,
Dept. of Pensions & Pensioners' Welfare,
Lok Nayak Bhawan,
New Delhi-110003. ... Respondents

(By Advocate: Shri Gajendra Giri)

O R D E R

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Heard both sides.

2. Applicant's counsel states that the relief
is presently confined to

- (i) Release of leave encashment dues.
- (ii) Release of DCRG
- (iii) Interest on delayed payment of revised
pay and provisional pension, which was
admissible to him on his retirement on

9

superannuation on 29.2.96 but were already paid to him in November, 1998 and Dec. 1998 respectively, only after he had filed this O.A.

3. In so far as release of (i) leave encashment dues and (ii) DCRG are concerned, respondents should consider release of the same on the production of two sureties by applicant to respondents' full satisfaction as it is not known when the criminal case against applicant which commenced in November, 1984 (Ann. AV) will be concluded. If upon the conclusion of the criminal case against applicant any sums are ordered to be recovered from him the same can always be adjusted against the sureties furnished.

4. In so far as the claim of interest is concerned, representation dated 10.7.98 (Ann. A-VI) indicates that pension was revised in terms of Govt. of India order dated 27.10.97, and pay was also revised pursuant to the Govt. orders on the recommendations of the 5th Pay Commission which were also issued around that time. Some time would naturally have been required for the authorities charged with preparing the bills and releasing the aforesaid amounts to applicant, and having regard to the same, it would be reasonable to direct respondents to pay applicant interest @ 12% p.a. on the sums release on 1.1.98 till the date of

2



actual payment. This should be calculated and paid to applicant within three months from the date of receipt of a copy of this order.

5. The O.A. is disposed of in terms of Paras 3 and 4[~] above. No costs.

S.R. Adige
(S.R. Adige)
Vice Chairman (A)

/GK/