

Central Administrative Tribunal
Principal Bench

O.A.No.211/98
with
O.A.No.611/98

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

New Delhi, this the 13th day of July, 1998

Khalil-ul-Rehman
s/o Shri Abdul Latif
P-101, Taj Enclave Link Road
Geeta Colony
Delhi.

... Applicant

(By Shri S.C.Jain, Advocate)

Vs.

1. Lt. Governor Delhi
through Chief Secretary
Govt. of N.C.T. Delhi No.5
Sham Nath Marg
Delhi.

2. Medical Superintendent
Guru Teg Bahadur Hospital
Shahdara
Delhi.

... Respondents.

(By Shri S.K.Gupta, proxy of Shri B.S.Gupta, Advocate)

O R D E R (Oral)

Since both the OAs are related to delayed payments of pensionary benefits of the applicant they are being disposed of by this common order.

2. The applicant had retired on 31.1.1997. He was supplied forms, etc. for his retiral benefits on 9.12.1996. According to the respondents, the applicant submitted the requisite papers only after his retirement on 22.2.1997. Thereafter, according to the respondents, some time had been taken to obtain the vigilance clearance and to satisfy certain queries raised by PAO. The pension order was finally issued on 2.1.1998, i.e., nearly one year from the date of his retirement. Similarly, the order for payment of Gratuity was issued on 1.1.1998, other payments were also ~~be~~ made in

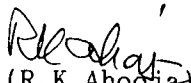
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January/February, 1998. The applicant now seeks directions for the payment of interest on the delayed payment of his retiral benefits.

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3. I have heard the counsel. It is true that, as contended by the respondents, the applicant submitted his pension papers after his retirement. The instructions required that the relevant pension papers should be submitted well before the retirement since certain formalities have to be completed before pension orders can be issued. In this case, responsibility to an extent, for the delay, rests with the applicant as he had taken some time to submit the required papers. At the same time, the respondents cannot also escape from the responsibility for the delayed payment as they took eleven months thereafter to complete the formalities. It may be true that certain queries were raised by the PAO and they had to satisfy those queries. However, in the normal course, the time taken by the respondents should not be more than three months after the submission of the relevant papers by the applicant.

4. In the facts and circumstances of the case, both the OAs are disposed of with a direction that the respondents will pay 12% interest for the period the payments were delayed three months after the filing of the relevant papers by the applicant in respect of the arrears of Pension and Gratuity. This would be done within three months from the date of receipt of a copy of this order. No costs.


(R.K. Ahooja)
Member(A)

/rao/