

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No. 272 of 1998
 Misc. Application No. 608/98

New Delhi, this the 10th day of December, 1998

HON'BLE MR. R.K. AHOOJA, M (A)

Sh. R.S. Jaswal, R/O 33-A, Pocket C,
 Phase III, MIG Flats, Ashok Vihar,
 Delhi.

--APPLICANT.

(Applicant in person)

Versus

1. Union of India through its Secretary, Ministry of Information & Broadcasting, Shastri Bhawan, New Delhi.
2. The Director, Song and Drama Division, Ministry of Information and Broadcasting, Suchna Bhawan, C.G.O. Complex, Lodhi Road, New Delhi - 110 003.

--RESPONDENTS.

(By Advocate -Sh. Rajinder Nishal)

O R D E R (ORAL)

By Hon'ble Mr. R.K. Ahoja, M (A)

The grievance of the applicant is that though he was retired as Manager from Song and Drama Division, Ministry of Information and Broadcasting, Govt. of India on 31.1.1995, the respondents delayed the release of his retiral benefits for various periods i.e. 1 month 23 days for GPF and 1 year 4 months and 17 days for gratuity. On that basis he claims that he should be paid an interest amounting to Rs. 30,500/- on the delayed payment of various retiral benefits.

2. The respondents in the reply state that the delay in release of the various retiral benefits is due to default by the applicant himself. The applicant was

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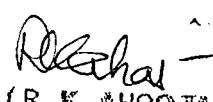
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required to complete the various forms so as to get his retiral benefits 8 months prior to his date of retirement. However, these forms were submitted by him only 18 days prior to the date of his superannuation.

3. I have heard the applicant as well as learned counsel for the respondents. Without going into the controversy as to who was responsible for the delay in filing the papers, it is clear that the respondents have taken undue time in finalising the case for release of the various retiral benefits even if the applicant had filed his papers 18 days prior to the date of his superannuation. The delay beyond three months after the date of retirement in releasing the retiral benefits entitles the applicant to the interest.

4. Accordingly, the OA is disposed of with the directions that the respondents will pay 12% interest on delayed payment of G.P.F. for the period of 1 month 23 days. The respondents will also pay 18% interest on delayed payment ^{of gratuity or} ~~in~~ after three months of the date of retirement ~~gratuity~~ upto the actual date of payment. No interest will, however, be paid to the applicant for delay in payment of Leave Salary.

5. The above directions shall be carried out within three months from the date of a receipt of a copy of this order. No order as to costs.


 (R.K. AHUJA)
 MEMBER (A)

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