

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No. 506 of 1998

New Delhi, this the 20th day of July, 1998

Hon'ble Mr. R K Ahooja Member (A)

Sh. N Banerjee, S/O Sh. (late)
U.N. Banerjee, 9/3/6588, Dev
Nagar, New Delhi.

--APPLICANT

(Applicant in person)

Versus

Union of India, through

1. The Secretary, Deptt. of
Expenditure, Ministry of
Finance, North Block, New
Delhi.
2. The Chief Controller Pension,
Central Pension Accounting
Office, Trikot-2, Bhikaji
Cama Place, New Delhi.
3. Director General, All India
Radio, Parliament Street, New
Delhi.
4. Manager, United Bank of
India, Madras Hotel Building,
Connaught Circus Branch, New
Delhi.

--RESPONDENTS.

(By Advocate - Sh. D S Mahendru)

O R D E R (ORAL)

BY MR. R K AHOOJA, MEMBER (A) -

The applicant was retired as Upper Division Clerk in August, 1982. Under the rules for receiving his pension he had to file necessary 'life' certificate in November 1992. The applicant admits that he could not file his 'life certificate' from 1992 to 1994. In 1995, he filed the requisite certificate. According to the applicant the papers were processed and disbursal orders were delivered to the respondent No. 2 as time-barred

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pension in January 1997. However, the respondents did not issue the Pension Payment Order. Applicant has now come before the Tribunal seeking direction for the payment of the pension alongwith interest. (5)

2. Respondent No. 2 has filed an Affidavit stating that the PPO has since been issued on 26.6.98 and on 3.7.98 the same has been forwarded to Manager, United Bank of India, Connaught Circus Branch, New Delhi for making payment of Pension and time-barred arrears of Rs. 3964/- in the account of applicant. However, the applicant present in person submits that he has not been informed by the Bank for collecting the said amount. He also submits that since the delay in payment of this amount has been deliberate on the part of the respondents they may be directed to pay the penal interest on the said amount.

3. I have considered the matter. It is an admitted position that the initial delay was as a result of the failure of the applicant to submit certain certificates between 1992-94. Respondents on their own part have also not been expeditious enough to take a final decision and to disburse the amount. However, it is not a case of non-release of retiral benefit on superannuation. I am, therefore, not inclined to grant the prayer of the applicant for payment of interest. Since the main relief for disbursal of the amount sought for by the applicant has substantially been met by the respondents, nothing further survives in this case.

(3)

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4. Accordingly OA is dismissed as infractuous granting liberty to the applicant to file a Misc. Application for revival of this OA in case the amount has not been credited in his account. No costs.

RK Ahuja
(R K AHOOJA)
MEMBER (A)

/sunil/