

Central Administrative Tribunal
Principal Bench, New Delhi.

OA-201/95

New Delhi this the 13th Day of October, 1995.

Hon'ble Shri B.K. Singh, Member(A)

Shri Gulab Singh,
S/o Late Sh. Ram Swaroop,
A/o 13/9, Halka Madan,
Darbar Shalji,
Nai Ki Mandi,
Agre.

Applicant

(through Sh. K.N.R. Pillai, advocate)

versus

1. Union of India,
through the Director General,
Archaeological Survey of India,
Janpath, New Delhi.
2. Pay and Accounts Officer,
Archaeological Survey of India,
Janpath, New Delhi.
3. The Superintending Archaeologist,
Guwahati Circle,
Archaeological Survey of India,
Anand Nagar,
Guwahati-781 005.

Assam. Respondents

(through Sh. Vijay Mehta, advocate)

Order (oral)
delivered by Hon'ble Sh. B.K. Singh, Member(A)

The learned counsel for the applicant has given a statement that the retiral benefits have been paid to him **after** a period of six months and he is entitled to interest as per rules. The O.C.R.G. amount was due on 1.3.1994 and was paid on 22.8.1995. There was a delay of 17 months. In case of Transfer Claim which was due on 28.2.1994, was paid on 11.8.1995 i.e. after 18 months. The commuted value and S.P.F.

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which were due on 1.3.94 were paid on 10.05.1995 i.e. after a delay of 14 months. Monthly pension was due on 1.4.1994 but P.P.O. was issued on 1.6.1995 and thus there was a delay.

It is, however, clear that there is no culpable negligence in regard to release of these retiral benefits and this case cannot be covered by the judgement of the Hon'ble Supreme Court in case of K.P. Nair and R. Kapoor Vs. Director of Inspection JT 1994(6) 354. However, the learned counsel for the applicant fairly concedes that he is not claiming 18% interest. Since the Tribunal have been granting interest at the rate of 12% if there is delay beyond six months and he has also filed a copy of the judgement in O.A. No. 1415/91 decided on 19.8.92 where interest has been paid at the rate of 12%, the applicant is entitled to the benefit beyond a period of six months at the rate of 12% on all the amount due to him.

The respondents are directed to make payment of interest of the delayed amount beyond six months at the rate of 12% within a period of three months from the date of receipt of a copy of this order. With these directions, this O.A. is disposed of but without any order as to costs.

(B.K. SINGH)
MEMBER (A)

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