

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 2134/95

New Delhi this the 11th Day of October, 1999

HON'BLE MR.JUSTICE V.RAJAGOPALA REDDY, VICE CHAIRMAN
HON'BLE MRS. SHANTA SHAstry, MEMBER (A)

K.L. Kohli
Son of Late Shri R.K. Kohli,
Retd. District Controller of Stores,
Northern Railway,
R/o D-195, Saket,
New Delhi.110 017. Applicant

(By Advocate: Shri K.N.R. Pillai)

Versus

1. Union of India,
Through the Member (Staff),
Railway Board & Ex. Office,
Secretary to the Government,
Ministry of Railways,
New Delhi. Respondents
2. The General Manager,
Northern Railway,
Baroda House,
New Delhi. Respondents

(By Advocate: Shri P.S. Mahendru)

ORDER (Oral)

By Reddy, J.

The applicant retired from the Railways on 31.3.1977 after being in suspension from September 23, 1976. The OA is filed seeking a direction of the respondents for payment of the full pay and allowances w.e.f. 23.9.1976 to 31.3.1977. It is alleged that he was paid only 50% subsistence allowance. The applicant also seeks determination of final pension and payment of arrears, accumulated pension and Death-cum-Retirement Gratuity (DCRG). He also sought for payment of interest @ 18% on the delayed payments. The learned counsel for the respondents now submits that it was directed to be paid all the revised retiral benefits in accordance with the rules. He has produced before us a letter from the FA &

(74)

CAO containing a direction to pay all the amounts of revised pension. A letter dated 6.4.1998 addressed by the General Manager to the Applicant was also brought to our attention whereby it was stated that all the payments of settlement of dues admissible have been made to the applicant on 27.9.1996. It has further stated that encashment of leave was not permissible to the applicant as he retired on 31.3.1977. The applicant was also advised to apply for commutation of pension as he is now eligible for such relief. The learned counsel for the applicant submits that he is also entitled for interest on the delayed payments of gratuity. The respondents have stated that they have now paid all the pensionary benefits and settled all the dues, no further order is to be passed in this regard. The learned counsel for the applicant, however, submits that no amount has been received by the applicant. In the circumstances, it is directed that respondents ~~to~~ make ~~that~~ all the payments to the applicant within a period of two months from the date of receipt of a copy of this order along with interest @ 12% in accordance with the proceedings dated 1.11.1994 of the Railway Ministry. If the respondents are in any way, responsible for the delayed payment, they may consider and pass appropriate order in this regard and pay the interest in accordance with the above order. O.A. is accordingly disposed of. No costs.

Shanta J
 (Mrs. Shanta Shastry)
 M(A)

V.Rajagopala Reddy
 (V.Rajagopala Reddy)
 VC (J)

Mittal