

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A.No.1983/96

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

New Delhi, this the 18th day of February, 1998

Sh. Naranjan Singh  
S/o.Sh.Mohinder Singh

Retd. Senior Electrical Engineer,  
Railway Electrification,  
Bhopal.

Resident of :

C2-B/94-B  
Janakpuri,  
New Delhi- 110058.

APPLICANT

(By Sh. B.S. Mainee, Advocate)

Versus

Union of India.

Through :

1. The General Manager  
South Eastern Railway,  
Garden Reach,  
Calcutta.
2. The General Manager  
Railway Electrification,  
Allahabad.
3. The Deputy Chief Project Manager  
Railway Electrification,  
Bhopal.

RESPONDENTS

(By Sh. Rajeev Sharma, Advocate)

O R D E R (Oral)

The grievance of the applicant is that though he retired on 31.8.95, the payment of his retiral benefits including pension, D.C.R.G. and commutation of pension was delayed inordinately. He is also aggrieved that the respondents have deducted an amount of Rs.5,788/- from his D.C.R.G. on account of medical expenses without giving any details. He has therefore, come before the Tribunal seeking a direction for interest on delayed payment and refund of an amount of Rs.5,788/- also with interest.

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2. The respondents have filed a reply. They admitted the delay by explaining that this was because of the time taken in verification of the service records. They also state that the applicant vacated the railway accommodation allotted to him only on 12.12.95 and therefore, interest on D.C.R.G. was calculated for a period beyond three months from the date of vacation to the date of actual payment. This interest calculated at Rs.5,788/- has already been passed for payment. No explanation has however been given regarding the deduction of an amount of Rs.5,788/- on account of medical charges.

3. After hearing the counsel, I find that the applicant is entitled to interest on delayed payment of pension at the rate of 18 per cent i.e., from the date the pension was due in each month till the date of actual payment. The applicant is also entitled to payment of interest at 12 per cent on delay in payment of D.C.R.G. from 12.12.95 to the actual date of payment minus what has already been paid to him. However, as the applicant received full pension for the period prior to the payment of commutation amount he would not be entitled to payment of interest thereon. In view of the fact that the respondents have not been able to explain the reason for deduction of Rs.5,788/- from his D.C.R.G., the same is also to be refunded to the applicant.

4. Accordingly, the O.A is disposed of with the directions to the respondents to pay the applicant 18 per cent interest from the due date to the date of actual payment of arrears of pension and 12 per cent interest on delayed payment of D.C.R.G. from 12.12.95. The amount of Rs.5,788/- will also


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be refunded to the applicant. In case any recovery has to be made on this account, the respondents should give an opportunity to the applicant to show cause. The requisite payment of interest will be made to the applicant within two months by the issue of this order.

5. The learned counsel for the applicant has also pointed out that the respondents have wrongly counted the date of restoration of commuted pension which should be seven months earlier. The respondents will recalculate and inform the applicant, of the correct date of restoration.

6. No costs.

  
(R.K. AHUJA)  
MEMBER (A)

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