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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

...
OA.No.718 of 1997
MA.No.1877 of 1977

New Delhi, this 22nd day of December, 1997.

HON'BLE MR K. MUTHUKUMAR, M(A)

R. R. Mittal
S/o Shri M. R. Mittal
R/o F-1/260 MIG Flats, Hari Nagar
NEW DELHI.

... Applicant

By Advocate: Mrs P. K. Gupta

versus

1. The Secretary,
Department of Animal
Husbandry and Dairy,
Krishi Bhawan,
NEW DELHI.
2. Shri Rajinder Chauhan
Officer on Special Duty
Delhi Milk Scheme
West Patel Nagar
NEW DELHI-110008.

... Respondents

By Advocate: Shri S. M. Arif

O R D E R (ORAL)

In response to the orders of the Tribunal in paragraph-2 dated 28.8.97, the respondents have released the gratuity amount on 11.11.97. On the last date, the learned counsel for the applicant complained that the respondents have not allowed interest for the delayed payment -which was allowed by the court as per paragraph-3 of order dated 28.8.97. The learned counsel for the respondents submits that there is no specific direction in regard to release of interest on delayed payment of gratuity in that order. Ordinarily under Pension Rules, pension includes gratuity.

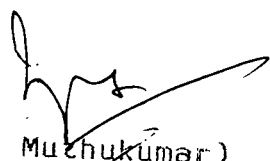
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Although there is no specific direction in the order about the direction for payment of interest on the delayed payment on gratuity, such payment was also intended to be allowed. It was not allowed specifically because reply to the letter dated 13.8.96 was due from the applicant, which was filed on 6.9.97 and that he had filed originally the reply sometime earlier. Therefore, the respondents have delayed in releasing the gratuity. The learned counsel for the applicant submits that there has been a delay of almost 15 months. Gratuity was due on 31.8.96. Ordinarily the gratuity should have been paid at least within three months from the date of the retirement.

In view of the above, it is considered appropriate that the respondents pay interest @12% on the delayed payment of gratuity for the period from 1.1.97 to 31.10.97. This payment shall be made within four weeks from the date of the receipt of a copy of this order.

With this, the application is disposed of. There shall be no order as to costs.

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(K. Muthukumar)
Member (A)