

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.849/97

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

New Delhi, this the 9th day of February, 1998

Shri N.C.Verma
(Ex. Supdt. Deptt. of Social
Welfare, Govt. of N.C.T. of Delhi)
s/o Late Shri B.P.Verma
r/o 298, R.P.S.Flats, Madangir
New Delhi - 110 062. ... Applicant

(By Shri B.J.Malvania, Advocate)

Vs.

1. The Chief Secretary
Govt. of N.C.T. of Delhi
5, Shamnath Marg
Delhi - 110 054.

2. The Secretary
Dept. of Social Welfare
Govt. of N.C.T. of Delhi
5, Sham Nath Marg
Delhi - 110 054.

3. The Director
Dept. of Social Welfare
Govt. of N.C.T. of Delhi
Canning Lane
K.G.Marg
New Delhi - 110 001. ... Respondents

(By Shri Arun Bhardwaj, Advocate)

O R D E R (Oral)

The applicant who retired from the post of Superintendent Class-II grade in the Directorate of Social Welfare, Govt. of N.C.T. of Delhi on 31.5.1995, has come before the Tribunal, aggrieved by the respondents inaction in not releasing his retiral benefits to date. The respondents in their reply have stated that the delay has taken place because the service book of the applicant which was sent for completion of pension papers at the level of DDO/HO had unfortunately been lost. Thereafter, the service book had to be reconstructed even taking the help of the applicant. Time had thereafter to be taken in completing the various formalities. Hence the delay, which had taken place, was not deliberate.

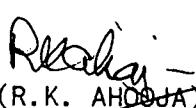
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2. I have heard the learned counsel on either side. The learned counsel for the respondents states that payment of retiral benefits will be paid shortly. In any case, irrespective of whether the delay was on account of loss of service book, the applicant cannot be held liable for the delay. He would therefore be entitled to the payment of interest for the period after the applicant's retirement till the date of actual payment.

3. In view of the above position, this OA is disposed of with a direction that the respondents will finalise and make the payment of all retiral benefits to the applicant within a period of two months. They will also pay interest ^{beyond} from the period three months from the date of retirement to the date of actual payment at the rate of 18% in respect of the arrears of pension and gratuity and 12% interest on the delayed payment of leave encashment and Insurance.

The OA is disposed of as above. No costs.


(R.K. AHUJA)

MEMBER (A)

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