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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

O.A. NO. 2320 OF 1994

New Delhi this the 30th day of August, 1995.

HON'BLE SHRI B. K. SINGH, MEMBER (A)

Dr. J. C. Madan  
(Retired Dy. Development Comm-  
issioner for Cement Industry - Legal),  
B-56, Pandara Road,  
New Delhi - 110003.

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... Applicant

( By Shri M. L. Ohri, Advocate )

Versus

1. Union of India through  
Secretary, Ministry of Industry,  
Department of Industrial Development,  
Udyog Bhawan,  
New Delhi.
2. The Development Commissioner for  
Cement Industry-cum-Joint Secretary,  
Department of Industrial Development,  
Government of India,  
Udyog Bhawan, New Delhi.
3. The Director of Estates,  
Government of India,  
Nirman Bhawan,  
New Delhi.

... Respondents

( By Shri B. Lall, Advocate )

O R D E R (ORAL)

Heard the learned counsel for the parties. The learned counsel for the applicant has claimed 18% interest on the plea that there is culpable negligence on the part of the respondents in paying Rs.1,000/- withheld from his gratuity. The total period comes to practically three years.


2. After hearing the parties, I am satisfied that there is no deliberate delay in payment of Rs.1,000/- withheld from the applicant's gratuity. There was no administrative lapse or callousness on the part of the respondents, but it was to recover the rent due from the applicant till the quarter was regularised in the name of his wife in her own right as a Government servant. The interest shall be payable from the date the quarter was regularised in the name of applicant's

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wife. The respondents are directed to pay the amount of interest on gratuity at the rate of 12%. The respondents will pay the principal amount of gratuity along with interest at the rate of 12% from the date the quarter was regularised as per directions of the Tribunal. The said amount should be paid within a period of three months.

3. With these directions, this O.A. is disposed of but without any order as to costs.

  
( B. K. Singh )  
Member (A)

/as/