

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.1042/2020

This the 26th day of November, 2020

(Through Video Conferencing)

**Hon'ble Mr. Pradeep Kumar, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**



Madhu Kapoor,
Lady Health Visitor, (Retired),
Aged about 62+ years,
W/o Late Mr. Krishan Lal,
Retired from: Shakti Nagar Maternity Home/Centre,
Under Keshav Puram Zone of North Delhi Municipal
Corporation,
R/o: 405, Tower-D, Satyam Apartments,
Swastic Vihar, Patiala Road, Zirakpur,
Punjab:140603.

...Applicant

(By Advocate : Shri Pradeep Kumar)

Versus

1. North Delhi Municipal Corporation,
[Service to be effected upon/through its:
Commissioner, At: Dr. S.P. Mukherjee Civic Center,
Minto Road, New Delhi: 110002.]
2. Keshav Puram Zone,
North Delhi Municipal Corporation,
[Service to be effected upon/through its:
Deputy Health Officer [M&CW], at:
Near Chest Clinic, Gulabi Bagh, Delhi-110007.]
3. Accounts Officer, at: Keshav Puram Zone,
North Delhi Municipal Corporation,
A-1, near Hathoda Ram Park, Keshav Puram,
Delhi-110035.

...Respondents

(By Advocate : Shri Vijay Pandita)

ORDER (ORAL)**Hon'ble Mr. R.N. Singh, Member (J) :-**

The applicant, who has retired from the services of the respondents on attaining the age of superannuation w.e.f. 30.06.2018, has filed the present Application under Section 19 of the Administrative Tribunals Act, 1985, praying therein for the following relief(s) :-

- a) Direct Respondents to immediately release/pay to the Applicant her unpaid, 'DCRG', 'CVoP' with simple interest @ 12% per annum, with all consequential reliefs and benefits;
- b) Direct Respondents to immediately release/pay to the Applicant her unpaid, due difference/arrear of ad-hoc bonus for the year 2014-2015, pro-rata ad-hoc bonus for the year 2016-2017 arrear of 'HRA', 2nd and 3rd financial up-gradation under 'MACPS' and also unpaid arrear of 7th CPC up to September, 2018 with simple interest @ 12% per annum, with all consequential reliefs and benefits;
- c) Direct Respondents to immediately release/pay to the Applicant simple interest @ 12% per annum on her delayed payment of earned leave encashment for the period of delay beyond retirement date and also on pension for the period from July, 2018 to April, 2019, 2017 till the date of their payment i.e. 02.11.2018 and 24.05.2019 respectively with all consequential reliefs and benefits;



- d) Costs of this Application may also be granted to the Applicant;
- e) pass any such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case to grant complete relief to the applicant.”

2. Notice was issued and respondents were granted time to file counter reply.

3. Counter reply has not been filed. However, when the matter was taken up for consideration today, the learned counsel for the parties submit that during the pendency of the OA, the respondents have made a payment of Rs.24,27,850/- towards Commutation of Pension and Gratuity.

4. The learned counsel for respondents further submits that steps have already been taken to pass orders for payment of other retiral dues also, in accordance with the relevant rules and the same is likely to take some more time. He further adds that as the respondents have been facing financial crunch for quite a long time, which is public knowledge, payment of interest is not admissible to the applicant.



5. In the facts and circumstances, with the consent of the parties, the OA is disposed of with a direction to the respondents to pass necessary orders for payment of remaining dues to the applicant, as admissible, under the relevant rules, as expeditiously as possible and in any case, within eight weeks of receipt of a copy of this Order.

The respondents are also directed to consider the payment of interest, in accordance with the rules, within such time. The necessary payments shall also be made by the respondents to the applicant within six weeks thereafter.

6. The OA is disposed of in the aforesaid terms. The applicant shall have liberty to approach tribunal if some grievance still subsists. No orders as to costs.

(R.N. Singh)
Member (J)

(Pradeep Kumar)
Member (A)

/ravi/rk/pinky/