

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/00059/2021

HYDERABAD, this the 1st day of February, 2021

**Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member**



P.Narasimha Rao S/o Narasimha Murthy,
Aged about 66 yrs, Occu : Sr. Telecom
Office Assistant (Retd),
R/o D.No.4-55-1, Sri Vidya Niketan School
Street, Yellavanigaruvu, Adavipalam Post,
Palakol Rural, West Godavari District-534260.

...Applicant

(By Advocate : Mrs. G. Manjula)

Vs.

1.Union of India, Rep by its Secretary,
Ministry of Communications,
Department of Telecommunications,
20, Ashoka Road, New Delhi-110001.

2.Bharat Sanchar Nigam Limited,
Represented by its Chairman-cum-
Managing Director, BSNL Corporate Office,
HC Mathur Lane, Janpath, New Delhi – 110001.

3.The Chief General Manager,
BSNL Bhavan, Andhra Telecom Circle,
Chittugunta, Vijayawada – 520004.

4.The General Manager,
Telecom District, BSNL,
West Godavari, SSA, Eluru.

....Respondents

(By Advocate : Mrs.K.Rajitha, Sr.CGSC &
Mr.M.C.Jacob, for BSNL)

ORAL ORDER
(As per Hon'ble Mr.B.V.Sudhakar, Administrative Member)

Through Video Conferencing:

2. The OA is filed by the applicant aggrieved by the action of the respondents in not paying interest on the amount of Rs.3,72,547 withheld from the pensionary benefits of the applicant.
3. Brief facts of the case are that the applicant retired from service on 31.12.2014. Respondents recalculated the pay and allowances and revised the pay w.e.f. 2.6.2000. After proper reconciliation, applicant received an amount of Rs.1,27,453/- towards terminal benefits of retirement gratuity and Commutation of Pension from the withheld amount of Rs.5,00,000/-. Further, based on the orders of the Tribunal in OA 1137/2018, dt. 26.6.2019, respondents released the recovered amount on 18.9.2019 without interest. Applicant represented on 25.10.2019 to pay interest on withheld amount for some time, which works out to Rs.1,36,600 on applying GPF rate of interest. Respondents were reminded on 23.12.2020 but of no avail and hence the OA.
4. The contentions of the applicant are that the recovered amount was refunded as per the order of the Tribunal without interest. In similar cases, interest has been paid for delayed payments whereas applicant has not been paid the interest. Applicant is a lower rank employee and non-payment of interest is arbitrary and illegal and would cause hardship to him.
5. Heard both the counsel and perused the pleadings on record.

6. The applicant was refunded an amount of Rs.3,72,547 based on the orders of this Tribunal in OA 1137/2018 dt. 26.6.2019. The applicant is aggrieved that interest working out to Rs.1,36,600 has not been paid for withholding the amount due to him for some time. Representation was submitted for payment of interest on 25.10.2019, followed by a reminder on 23.12.2020 and yet the respondents have not taken action, is the claim of the applicant.

7. In view of the respondents inaction in not disposing the representations, they are directed to dispose of the representation of the applicant dated 25.10.2019 within a period of 8 weeks from the date of receipt of this order in accordance with rules and law and keeping in view the contentions raised in the OA, by issuing a speaking and reasoned order.

With the above direction, the OA is disposed of with no order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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