

(8)

CENTRAL ADM IN ISTRAT IVE TH IBUNAL
PRINCIPAL BENCH, DELHI.

Regn. No. O.A. 374/1986. DATE OF DECISION: 24.7.1991.

Shri A.K. Pal Applicant.

V/s.

Union of India & Ors. Respondents.

COGRAM: Hon'ble Mr. Justice U.C. Srivastava, Vice Chairman.
Hon'ble Mr. I.P. Gupta, Member (A).

Shri P.T.S. Murthy, counsel for the applicant.
Smt. Raj Kumari Chopra, counsel for the respondents.

(Judgment of the Bench delivered by Hon'ble
Mr. Justice U.C. Srivastava, Vice Chairman)

JUDGMENT

The applicant, who was a Labour Officer in the Government of India, was allowed to retire from Government service with effect from the forenoon of 23rd March, 1976. Thereafter, he was permanently absorbed in the Bharat Coking Coal Limited. The applicant approached this Tribunal and claimed pension and DCR gratuity as also interest on delayed payment thereof. The Tribunal, by its interim order dated 15.7.1986 directed for payment of the amount of pension due to him and in pursuance thereof, the amount of gratuity and pension was paid to him in September, 1986 within the time limit fixed by the Tribunal for payment of the same. The applicant's claim is now confined to the payment of interest on the amount of gratuity and pension.

2. As the applicant is not responsible for the delay in payment of his pension and gratuity and it is the respondents who are responsible for the delay in payment, and they have denied the applicant the benefit of the interest which would have accrued and earned by the applicant had the payment of the amount of pension and gratuity been made within the normal period of three months, the respondents are liable to pay interest also to the applicant.

4

3. In view of the above, the respondents are accordingly directed to pay interest at the rate of 6% per annum on the amount of gratuity paid to the applicant starting after three months from the date of retirement and also to pay interest on the delayed pension at the rate of 10% per annum starting after three months from the date of retirement. These payments shall be made to him within a period of three months from the date of communication of this order. There shall be no order as to costs. The application stands disposed of finally in terms of the above directions.

I.P. Gupta

(I.P. GUPTA)
Member (A)

U.C. Srivastava

(U.C. SRIVASTAVA)
Vice Chairman (J)

24.7.1991.