

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

## NEW DELHI

(3)

O.A. No. 160/1990  
T.A. No.

199

DATE OF DECISION 20-7-1990

<u>Shri C.D.Taneja</u>  <u>Dr. D.C.Vahra,</u>  Versus <u>Union of India &amp; anr.</u>  <u>Shri Arun Sharma, proxy counsel</u> <u>for Shri P.P.Khurana, counsel</u>	Applicant <del>Petitioner</del>  Advocate for the <del>Petitioner(s)</del> <sup>Applicant</sup> <del>xxxxxx</del>  Respondent s  <del>Advocate for the Respondent(s)</del> For the Respondents.
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## CORAM

The Hon'ble Mr. P.K. KARTHA, VICE CHAIRMAN (JUDICIAL)

The Hon'ble Mr. D.K.CHAKRAVORTY, MEMBER( ADMINISTRATIVE )

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *NO*
3. Whether their Lordships wish to see the fair copy of the Judgement? *NO*
4. Whether it needs to be circulated to other Benches of the Tribunal? *NO*

Judgement

( Judgement of the Bench delivered by Hon'ble  
Mr. P.K.Kartha, Vice Chairman(Judicial) )

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The applicant, who has worked/in the Ministry of External Affairs, filed this application under Section 19 of the Administrative Tribunals Act, 1985 praying for quashing the inquiry proceedings initiated against him under Rule 9 of the Central Civil Services(Pension) Rules, 1972 and for directing the respondents to pay him all the terminal dues since 24-11-1981 together with interest at the rate of 12% per annum. The inquiry proceedings were initiated on 15-3-1982. On 28-8-86 the respondents issued an Office Order to the effect that the applicant retired voluntarily from Government service from the forenoon

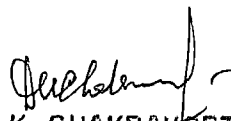
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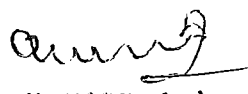
of 24-11-1981 in terms of Rule 48 of the Central Civil Services(Pension) Rules. Inquiry proceedings have also been dropped by their Memorandum dated 14th May 1990. In view of this, the first relief sought by the applicant no longer survives.

2. As regards the second relief sought in the application, the learned counsel of the applicant relied upon the judgement of the Supreme Court in the State of Kerala Vs. M. Padmanabhan Nair ( AIR 1985 SC 356) wherein it has been observed that interest should be paid on delayed disbursement of pension and other retirement benefits made beyond the period of two months from the date of retirement.

3. After hearing the learned counsel of both parties, we direct the respondents to release the pension, gratuity and other retirement benefits admissible to the applicant with effect from 24-11-1981 together with interest at the rate of 12% per annum from 24-1-82 to the date of payment. Respondents shall comply with these directions within a period of three months from the date of communication of this order .

4. The application is disposed of with the aforesaid directions. The parties to bear their own costs.

  
( D.K.CHAKRAVORTY )  
MEMBER  
20-7-90

  
( P.K.KARTHA )  
VICE CHAIRMAN  
20-7-90