

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. NO.2774/2004

New Delhi, this the 19th day of November, 2004

HON'BLE MR. SARWESHWAR JHA, MEMBER (A)

S.R. Malhotra,
(Ex-Inspecting Officer),
C-8/8032 Vasant Kunj,
New Delhi

.... Applicant

(By Advocate : Shri S.N. Anand)

Versus

1. Union of India through
Secretary,
Ministry of Textiles, New Delhi – 110 001
2. The Development Commissioner (Handicrafts),
Ministry of Textiles,
West Block No.7, R.K. Puram,
New Delhi – 110 066
3. The Development Commissioner (Handicrafts),
Ministry of Textiles,
Pre-shipment Inspection and Certification of
India items
Sarpanch House,
Behind Ajmera Hotel,
Tonk Phatak, Jaipur – 302 018
4. The Senior Accounts Officer DC(H),
Ministry of Commerce & Textiles,
West Block No.7, R.K. Puram,
New Delhi – 110 066
5. The Pay & Accounts Officer,
Central Pension Accounting Office,
Trikoote-2, Bhikaji Cama Place,
New Delhi – 110 066

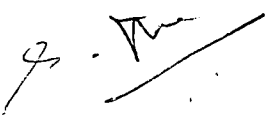
... Respondents

ORDER (Oral)

By Sarweshwar Jha, A.M.:

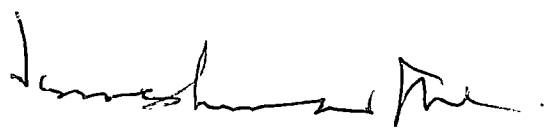
Heard the learned counsel for the applicant.

2. It is observed that while the applicant retired on voluntary retirement w.e.f. 02.07.2003, the retiral benefits including Provident Fund have been paid to him only later. From the statement, which has been given by the applicant at page 'A' of the OA, it is observed that there is a delay of



5 to 7 months in respect of payments made in regard to Provident Fund, DCRG, Commutation of Pension, Pension including arrears thereof. The amount due to the applicant on account of Insurance has not been paid to him till date. It is further learnt from the learned counsel for the applicant that the applicant has not made any representation to the Department seeking payment of interest on delayed payment of these amounts. He, therefore, does not know as to what view the respondents have in this regard. It would, therefore, be appropriate if the respondents are given an opportunity to apply their mind to the case and to see whether the facts which have been stated by the applicant in this OA conform to the facts/records available with them. It would also be appropriate if the reliefs which have been prayed for by the applicant in this OA are given due consideration by the respondents first before this Tribunal goes into the subject.

3. Accordingly, in my considered opinion, this OA can be disposed of at the admission stage itself with a direction to the respondents to give due consideration to the facts of the case, as submitted by the applicant and to see whether the interest on delayed payment of retiral benefits as has been prayed for by him is admissible as per the relevant instructions on the subject. The respondents shall ensure that the matter is disposed of at the earliest, and in any case, within a period of two months from the date of receipt of a copy of this order and apprise the applicant of their decision in the matter within the said period. Liberty is granted to the applicant to proceed in the matter as per law if any grievance still survives after the matter has been considered by the respondents, as directed above.


(Sarweshwar Jha)
Member (A)

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