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**CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench**

CP No.97/2005
In
OA No.1220/2004

New Delhi this the 17th day of August, 2005.

Hon'ble Mr. V.K. Majotra, Vice-Chairman (A)
Hon'ble Mr. Shanker Raju, Member (Judl.)

Shri Kesho Ram, SDE (Retd.),
C/o Virender Singh Chauhan,
I-91, Harkesh Nagar,
P.O Okhla Industrial Area,
New Delhi-110020.

-Applicant

(By Advocate Shri B.K. Saini)

-Versus-

1. Shri Nripendra Misra,
Secretary,
Ministry of Communication,
Department of Telecommunication,
Sanchar Bhawan,
Ashoka Road, New Delhi-110001.

2. Shri Ravi Kumar Gautam,
General Manager Telephones,
District Muzafarnagar (U.P.)

-Respondents

(By Advocate Shri V.S.R. Krishna)

ORDER (ORAL)

Mr. Shanker Raju, Hon'ble Member (J):

By an order dated 6.1.2005 applicant's OA was partly allowed directing the respondents to pay interest to applicant on delayed retiral benefits except pension with effect from 31.10.1997 till actual re-imbursement at the rate of simple interest of 12% per annum.

2. Learned counsel for applicant states that by not allowing interest on leave encashment, GPF, GIS, pay arrears and

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commuted value of pension respondents have contumaciously disobeyed the directions of this Court.

3. According to applicant and his calculation an interest of Rs.1,93,880/- was due.

4. On the other hand, respondents' counsel Shri Vijay Pandita stated that the Writ Petition filed against the order of the Tribunal has already been dismissed and interest on delayed retiral benefits has been paid. However, it is stated that interest is not admissible except on gratuity as per Rule 68 of the CCS (Pension) Rules, 1972.

5. We have carefully considered the rival contentions of the parties. In the light of the decision of the Apex Court in **Vijay L. Mehrotra v. State of U.P.**, 2001 (1) ATJ SC 215, pensionary benefits include not only DCRG but other heads, including leave encashment, GPF, GIS, pay arrears, commuted value of pension etc. Applicant is entitled, as per the directions of this Court, to be paid interest on delayed retiral benefits. In this view of the matter while disposing of this CP we direct respondents to calculate the interest in the light of the decision of the Apex Court in **Vijay L. Mehrotra** (supra) on other heads of retiral benefits and disburse the same to applicant, within a period of two months from the date of receipt of a copy of this order. Notices are discharged.


(Shanker Raju)
Member(J)


(V.K. Majotra)
Vice-Chairman(A)

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