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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O. A. No. 479/2004
M. A. No. 413/2004

Tuesday, this the 13th day of July, 2004

Hon'ble Shri S. K. Naik, Member (A)

1. Jai Kishan
s/o Shri Likharam
H. No. 11, Gali No. 19-A
Molar Band Extension
Badarpur
New Delhi-44
2. Shri S.M. Gupta
s/o Shri Laxmi Narain Gupta
B-179, Additional Township BTPS
Badarpur, New Delhi-44
3. G.P. Sinha
s/o late Shri Mannu Mahto
No. 12-A/III, BTPS Staff Colony
Badarpur, New Delhi-44
4. Kishan Lal Kukreja
s/o late Shri Sunder Lal
H. No. 3-C/250, NIT
Faridabad, Haryana

.. Applicant

(By Advocate: Shri S.M. Rattanpaul)

Versus

1. Union of India
through the Secretary
Ministry of Power
Shram Shakti Bhawan
New Delhi
2. The Secretary
Ministry of Personnel
Public Grievances & Pensioners
North Block, New Delhi
3. The Chairman
Central Electricity Authority
Sewa Bhawan, R.K. Puram
New Delhi

.. Respondents

(By Advocate: Shri K.R. Sachdeva)

O R D E R (ORAL)

Heard the counsel for the parties. Counsel for respondents has submitted a copy of letter dated 24.6.2004 issued by the Central Electricity Authority, New Delhi vide which respondents-Department in

Leave

consultation with the Department of Pension & Pensioners' Welfare has decided to grant pro-rata pensionary benefits to the applicants. He, therefore, contends that the OA has become infructuous.

2. However, the counsel for applicants submits that apart from the claim of pro-rata pension and other pensionary benefits, the applicants have requested for 18% interest on the delayed payment. In this regard, he has referred to the judgments from Annexure A-7 to Annexure A-10. A perusal of the judgments delivered ^{reveals that} during the past six years or so, the Tribunal had ordered the payment of interest thereon. In keeping with the trend of the judgments, the counsel contends that the respondents should also pay the applicants 12% interest as awarded in the judgments so cited.

3. I have carefully considered the arguments advanced by the counsel for applicant and the reply filed by the respondents. While the main relief sought for by the applicants stands awarded by the respondents in view of their letter dated 24.6.2004 to grant them the pro-rata pensionary benefits, the only issue that remains to be decided is as to whether the applicants would be entitled to any interest thereon. The judgments cited by the counsel for applicants pertain to the past periods. However, in keeping with the trends indicated therein, the respondents are directed to consider the grant of interest at an appropriate rate taking into account that had the applicants received the pensionary benefits in time, they would have earned some interest thereon.

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4. The OA is accordingly disposed of with these directions.

S. K. Naik
(S. K. Naik)
Member (A)

/sunil/