

(12)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A.No.2781 of 1992

New Delhi, this the 26th day of November, 1993.

B.N.Dhoundiyal, Member(A).

Smt.M.D.Gupta(deceased); through
Shri R.P.Gupta(Husband-Nominee)
B3/36 Janakpuri, New Delhi-58. ... Applicant.

(through Mr R.L.Sethi, Advocate).

vs.

1. The Director of Education
Old Secretariat, Delhi.
2. The Drawing & Disbursing Officer
Govt. Girls Senior Secondary School,
L.Block, Hari Nagar, New Delhi. Respondents

(through Mr Ashok Jain; yet none
appeared on the date of final
hearing).

ORDER(oral)

This O.A. has been filed by Shri R.P.Gupta, husband of Smt.R.P.Gupta, who retired from the post of Principal, Govt. Girls Senior Secondary School on 30.4.1991 and later died on 25.7.1991. The applicant is already recognised by the respondents as nominee of the deceased. The following reliefs have been claimed:

- i) payment of Rs.2000/- from the pensionary benefits withheld for want of 'no objection Certificate';
- ii) payment of Rs.4000/- on account of contribution made under CGEF Insurance Scheme,1980;
- iii) payment of Rs.7000/- as remaining amount of G.P.F. and payment of Rs.5000/- on account of gratuity due for the service rendered in a recognised college before joining.

2. In the counter filed by the respondents, the following clarifications have been made:

- a) A sum of Rs.2000/- withheld/deducted on account of No Objection Certificate from the School has since been paid on 15.12.1992;
- b) Another sum of Rs.4070/- has been paid to the applicant on 15.12.1992 on account of contribution towards Central Govt. Employee Group Insurance Scheme, 1980;
- c) The authority slip has been received by them by the GPF Cell, on 12.6.1991 and an amount of Rs.1,76,326/- has been paid on 25.6.1991. Missing credit has been shown in the Final Withdrawal Authority.

3. In order to verify the claim of gratuity for service rendered in a Private School, certain documents were required.

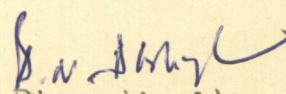
4. The learned counsel for the respondents has not appeared during the past two hearings. He has today also not appeared even though the case was called in the revised list before lunch and was again called in the after-lunch session. I, therefore, proceed to dispose it of on the basis of the pleadings and the submissions made by the learned counsel for the applicant during the course of final hearing.

5. The learned counsel for the applicant has requested that the respondents may be directed to pay interest on the delayed payment. In case of contribution to Central Government Employees Insurance Scheme, he has given details of the payment of Rs.3048/- still due. In case of Provident Fund, he has stated that the applicant has been paid Rs.15,000/- only for the period of 15 months from March, 1990 to May 1991.

6. It is admitted that payment has already been made by the authorities in case of most of the items and I do not think that under the situation of this kind, it can be alleged that the delay was caused due to the administrative fault. Hence the claim of the applicant for the interest is not admitted. However, the respondents are directed to verify the claim regarding remaining dues on account of re-imbusement of contribution to the Central Govt. Insurance Scheme and short payment of the amount due on account of provident funds. Early finalisation of the claim on gratuity based on the documents submitted vide letter dated 3.6.1993, shall be made.

7. These orders shall be implemented within three months of the date of communication. Parties are left to bear their own costs.

26th Nov., 1993.
(SDS)


(B.N. Dhoundiyal)
Member(A).