

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

(b)

O.A. No.2085/93

This 19th day of May, 1994

Hon'ble Mr. J.P. Sharma, Member (J)  
Hon'ble Mr. B.K. Singh, Member (A)

J.D. Gupta,  
68, New Rajdhani Exclave,  
Vikas Marg,  
Delhi-92

..... Applicant

By Advocate: Shri S.C. Jain

VERSUS

1. Union of India, through:  
The Secretary,  
Ministry of Urban Development,  
Nirman Bhavan,  
New Delhi.

2. The Director General of Works,  
C.P.W.D., Nirman Bhavan,  
New Delhi.

..... Respondents

By Advocate: Shri Madhav Panikar.

O R D E R (Oral)

(By Hon'ble Mr. J.P. Sharma, M(J)

The applicant on the date of his retirement (31.3.93) was serving as Assistant Engineer with the respondents. Just before his retirement, he was served with two memoranda of charge-sheet, one in January 1993 and another in March 1993. The respondents, in the normal course, should have arranged for provisional pension admissible to the applicant, soon after his retirement. However, they could not process the case of payment of pension to the applicant and there was a delay of about 8 months in making payment of provisional pension to him. The applicant was paid a lump sum amount of provisional pension in December, 1993 for the period from April 1993 to December 1993.

Contd.....2/-

(X)

2. The applicant has claimed for payment of interest on the delayed payment of provisional pension. In Government service if the payment of pension etc. to an employee has been withheld on account of administrative lapses then the Government is liable to pay interest <sup>on</sup> it. However, the applicant has some chequered history, inasmuch as he is facing two departmental enquiries and the same is still pending decision. This might have taken sometime by the concerned authority for sanctioning the pension to the applicant, and this cannot be termed as deliberate delay or lapse on the part of the respondent-administration.

3. In view of this, we do not feel that it is a fit case for grant of interest on the delayed payment of provisional pension. The application is, therefore, dismissed as devoid of merit.

4. We may make it clear that the applicant shall continue to get provisional pension according to law.

( B.K. Singh )  
Member (A)

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( J.P. Sharma )  
Member (J)