

Central Administrative Tribunal
Principal Bench, New Delhi.

(5)

O.A. No. 2460/93

New Delhi this the 25th Day of February, 1994.

Hon'ble Mr. B.N. Dhoundiyal, Member(A)

Mrs. Ajit Kaur Sethi,
W/o Sh. Dalip Inder Singh,
R/o 9, Yadavindra Colony,
the Mall,
Patiala-147001.

Petitioner

(By advocate Sh. Shyam Babu)

versus

1. Union of India,
through Chief Secretary,
Govt. of National Capital,
Territory of Delhi,
5, Sham Nath Marg,
Delhi.
2. Pay & Accounts Officer No. II,
Govt. of National Capital Territory
of Delhi,
R.K. Puram,
New Delhi.
3. Pay & Accounts Officer No. V,
Tis Hazari,
Delhi-110054.
4. Accountant General(A&E),
Punjab,
Chandigarh.

Respondents

(By advocate Ms. Maninder Kaur)

ORDER (oral)
delivered by Hon'ble Mr. B.N. Dhoundiyal, Member(A)

Heard the learned counsel for the parties.

The applicant is aggrieved on account of
delayed payment of arrears of commuted pension of
Rs. 10,006/- which became due to her on the date of
and
her retirement i.e. on 1.10.1986 which was in fact
deposited in her account on 1.7.1993.

According to the respondents, the case for
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revision of pension of the applicant had been received by PAO-II on 26.5.1989, consequent upon the recommendation made by the 4th Pay Commission, Authorisation for the payment of pension and revised amount of commutation value was issued on 8.6.1989. A.G. Punjab sent the same authorisation letter to the Treasury at Patiala vide letter dt. 24.8.1989. The Special Seal Authority appears to have been misplaced during transit from A.G. Punjab to Treasury office, Patiala. As a result, the payment of difference of commuted value on account of revised pension i.e. Rs. 10,006/- could not be paid by A.G. Punjab. Duplicate special seal authority was later prepared and same was forwarded to A.G. Punjab for arranging payment. On the basis of the duplicate special seal authority, the difference of commutation value i.e. Rs. 10,006/- was paid to the applicant on 1.7.1993.

The learned counsel for the applicant has vehemently argued that the applicant is entitled to interest on the delayed payment from 1.1.1986, the date from which the pension was revised. However, it is clear that the recommendations of the 4th Pay Commission were accepted by the government much later though orders were passed applying the revision retrospectively from 1.1.1986. In normal course, had the seal of the authority not been lost, the sanction dt. 26.5.1989 would have been implemented within a period of three months i.e. by 25.8.1989. It is clear that delay from 26.8.1989 to 1.7.1993 is mainly due to loss of 'Seal of Authority' during the transit between A.G., Chandigarh to Treasury office Patiala.

I hold that the applicant is entitled to be compensated. The respondents are hereby directed to
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pay interest at the rate of 12% on the amount due to her i.e. 10,006/- for the period between 26.6.89 to 1.7.1993. The required amount shall be paid within a period of two months from the date of communication of this order.

There will be no orders as to costs.

B.N. Dholiyal
(B.N. DHOUDIYAL) 25/2/94
MEMBER(A)

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