

19

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA 1095/1993

New Delhi, this 27th day of November, 1995

Hon'ble Shri B.K. Singh, Member(A)

Shri Jaipal Singh  
327-B, Phase-II, Mayur Vihar, New Delhi .. Applicant

By Shri Ashish Kalia, Advocate

versus

Union of India, through

1. The Director General, Telecom  
Sanchar Bhavan, New Delhi
2. Divisional Railway Manager  
Northern Railway  
Chelmsford Road, New Delhi
3. Divl. Supdt. Engineer (Estate)  
Northern Railway, New Delhi ... Respondents

By Shri Shyam Moorjani, Advocate  
(represented by proxy counsel Shri M.K.Gaur)

ORDER(oral)

This OA has been filed against non-payment of pension and other retiral benefits including commutation of pension, leave encashment, gratuity, etc to the applicant. As contained in the impugned order No.11-4/89-SEA dated 29.1.1993, the applicant was allowed to retire voluntarily and was duly relieved from Government service with effect from 1.2.1993. After the voluntary retirement, the applicant furnished requisite pension papers for sanction and for other retiral benefits he submitted the prescribed proforma including withdrawal of GPF accumulation to his credit. When a person retires on superannuation, he is required to submit various proforma for payment of pension, commutation of pension, withdrawal of GPF, gratuity, leave encashment etc. atleast 10 months in advance. In case of voluntary retirement, the rule is entirely different. It is a case of voluntary retirement on three months notice which was



accepted and the applicant was allowed to retire after the expiry of 3 months. He would have submitted necessary proforma duly filled in for payment of all the retiral benefits which after verification are liable to be released. Six months period is allowed for purpose of verificcation of service records, GPF accumulation, leave due etc. for leave encashment and for getting a certificate from the Head of Department certifying satisfactory service rendered by the person so retiring voluntarily. In the instant case, the learned counsel for the applicant fairly conceded that the applicant was allowed only provisional pension and other retiral benefits were not released because there were certain complaints pending against him. Final pension order etc. was issued ~~was issued~~ <sup>date 6th</sup> ~~was passed~~ after the file regarding the complaints was closed.

2. In the circumstances, the respondents are directed to calculate simple interest @ 12% p.a. from the date the file was closed till the date of final payment. This will also hold good in case of arrears of pension, DCRG, leave encashment and GPF accumulation to his credit. With these directions, the OA is disposed of but without any order as to costs.

(B.K. Singh)

Member (A)

27.11.95

/gtv/