

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 123 of 1996

Allahabad this the 09th day of February, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)

Moti Lal S/o Late Jag Narain R/o Village and Post
Ram Nagar, Distt. Allahabad.

Applicant

By Advocate Shri Anand Kumar

Versus

1. Union of India through General Manager, Northern
Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway,
Allahabad.

Respondents

By Advocate Shri Prashant Mathur

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

The applicant has come up for a direction to the respondents to pay the gratuity and other dues which have been withheld by the respondents. As per applicant's case, he was appointed as Khalasi with the respondents and retired from the post of M.S.M. on 31.12.1992. After retirement, he has not been paid the amount of retirement benefit inspite of several representations and request

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to the respondents and, therefore, he has come up before the Tribunal.

2. The respondents have contested the case and filed their counter-reply. According to which the D.C.R.G. of Rs.20,198-00 has already been paid to the applicant vide C07 No.8826 dated 15.3.96 after adjusting of over payment of Rs.1087/-

3. Heard, the learned counsel for the rival contesting parties and perused the record.

4. Now the only dispute remains in respect of payment of Rs1087/- and the alleged payment of gratuity amount to a tune of Rs.20,198/- is admitted to the applicant. Time was allowed to the learned counsel for the respondents to furnish details in respect of this deduction by way of adjustment against over payment for a sum of Rs.1087/- but the learned counsel for the respondents is not in a position to explain it for want of instructions in this regard. On this count, the respondents are directed to pass detailed, reasoned order for justification of non-payment of this sum of Rs.1087/- within 2 months from the date of communication of this order or to make good payment thereof within this period of 2 months.

5. Learned counsel for the applicant has also pressed for interest on the amount of gratuity for the period for which the payment was withheld without any good reason for the same. The applicant retired on 31.12.1992 and the payment has been made

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on 15.3.1996 i.e. after 3 years and 3 months and thereby delay of 3 years as it should have been paid within a period of 3 months from the date of retirement under Rule 87 of Railway Servants Pension Rules, 1993, as amended upto date. The applicant is entitled to get interest at the rate of 15% for this period of 3 years.

6. With the above observation, the O.A. is disposed of accordingly. No order as to costs.

Sul K. Singh
Member (J)

/M.M./