

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

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ALLAHABAD

Allahabad : Dated this 24th day of August, 2000

Original Application No.990/1998

District : Kanpur

CORAM :-

Hon'ble Mr. Rafiuddin, J.M.

Ganga Saran Sharma S/o Late Gulab Singh,
R/o 171/3, Babu Ka Purwa, New Labour Colony,
Kedwai Nagar, Kanpur.

(Sri AK Srivastava, Advocate)

..... Applicant

Versus

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

(Sri Prashant Mathur, Advocate)

..... Respondents

O R D D E R (O_r_a_l)

By Hon'ble Mr. Rafiuddin, J.M.

The applicant, who retired from Railway service on 30-6-1995, has filed this OA claiming interest @ 18% on Rs.29,729/- paid to him as arrears of gratuity after one year of his retirement. The case of the applicant in short is that since the said amount has been paid after lapse of one year from the date of his retirement 19-6-1996, he is entitled for the interest.

Q.

2. I have heard Sri Prashant Mathur, counsel for the respondents and perused the record.

3. It has been contended by the learned counsel for the respondents that the amount in question was calculated on the basis of Railway Board's instructions contained in Circular dated 3-8-1995 and the delay in computing the amount in question was due to instructions from Railway Board received after the retirement of the applicant. Therefore, there was ~~no~~ justification for delay in making payment of amount to the applicant. It is, however, on record that payment of the amount in question was received by the applicant on 19-6-1996 which was sent to him by registered post on 26-5-1996. Therefore, the delay in payment cannot be attributed to the circular of the Railway Board. In the facts and circumstances I find it reasonable that the applicant should be paid interest @ 12% for the period of six months.

4. The OA is, therefore, partly allowed. The respondents are directed to make necessary payments to the applicant within three months from the date of receipt of this order. There shall be no order as to costs.

Dube/

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Member (J)