

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.382/2021

This the 29th day of September, 2021.

**Coram : Hon'ble Shri Jayesh V.Bhairavia, Member (J)
Hon'ble Dr. A.K.Dubey, Member (A)**

Ladharam S/o. Shri Prabhudas Tulsani
Age : 63 years,
Residing at : L/5/54, Navnirmannagar,
Pragatinagar, Naranpura,
Ahmedabad 380 013..... Applicant.

(By Advocate : Shri Saurabh J.Mehta)

VERSUS

1. The Director General (Vigilance)
Having its office at Head Quarter Office
Employees State Insurance Corporation
PanchDeep Bhavan
Ministry of Labour & Employment
Govt. of India
CIG Marg, New Delhi – 110 001.
2. Regional Director
Office of RD ESIC
PanchDeep Bhavan
Ministry of Labour & Employment
Govt. of India,
Ashram Road, Ahmedabad – 380 014.
3. The Assistant Director
Office of RD ESIC
PanchDeep Bhavan
Ministry of Labour & Employment
Govt. of India,
Ashram Road, Ahmedabad – 380 014..... Respondents

ORDER (ORAL)

Per : Hon'ble Shri J.V. Bhairavia, Member (J)

1. Counsel for the applicant submits that due to pending disciplinary proceedings the respondents had withheld his retiral dues at the time of his superannuation in the year 2016. After conclusion of the said pending disciplinary proceedings in the year 2021, the respondents have released the said withheld retiral dues, but without interest of delayed payment. It is the case of the applicant that the delay caused in finalizing the disciplinary proceedings was not at his fault. Therefore, it is submitted that the applicant is entitled of interest on the delayed payment of his retiral dues.

After arguments for some time, counsel for the applicant submits that since the applicant intend to approach the competent authority to settle his grievance with regard to his claim of interest on delayed payment, the applicant will be satisfied, if he is permitted to withdraw this OA with a liberty to submit his representation and in addition to that, the respondents be directed to treat this OA as his additional representation.

2. Considering the aforesaid request, as also five years long delay has been taken place to conclude the disciplinary proceedings instituted against him, we allow the applicant to submit his representation and let this OA be also part of his additional representation before the

CAT, Ahmedabad Bench

competent authority within one month from the date of receipt of a copy of this order and on receipt of the said representation, the Respondents are directed to consider it and decide the claim stated therein of the applicant with respect to payment on interest on delayed payment expeditiously, but not later than three months from the date of such representation and intimation to the applicant about decision so taken of his representation.

3. With the above directions, the OA stands disposed of accordingly. No costs.

(A.K.Dubey)
Member (A)

(J.V.Bhairavia)
Member (J)

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