

Court No.1

(4)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration O.A.No.974 of 1988

Vidyadhar Applicant

Versus

Union of India & Others.... Respondents.

Hon. Mr. D.K. Agrawal, J.M.

Hon. Mr. A.B. Gorthi, A.M.

(By Hon. Mr. D.K. Agrawal, J.M.)

This claim petition is directed against the non payment of settlement dues of the applicant who retired on 31.8.87 from the post of Senior Accounts Officer. The payment was withheld on the ground that disciplinary proceedings were pending against the applicant. However, it transpired that the proceedings were concluded as early as in the year 1989. Therefore by virtue of an interim order the Railway Administration was made to pay the settlement dues of the applicant which have been settled. The only dispute remains as to the quantum of interest payable by the Railway Administration on account of delayed payment of Death-cum-Retirement Gratuity. It is not disputed that the amount of Death-cum-Retirement Gratuity amounted to Rs.61,875/-. Therefore, interest is to be paid on the said amount from 1.12.87 (three months after the date of retirement) at the flat rate of 10%. The Railway Administration has however paid interest for part of the period at the rate of 7% per annum. We have considered the prayer of the applicant for payment of interest at the rate of 12% and the prayer of the respondents for payment of interest @ 7% for

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a limited period and thereafter at the rate of 10% per annum. We are of the opinion that interest be paid on the above amount @ 10% with effect from 1.12.87 onwards till the date of payment.

2. In the result, the petition is allowed in part. The respondents are directed to pay interest on the above mentioned amount of Death-cum-Retirement Gratuity at the flat rate of 10% within a period of two months from the date of communication of this order. Parties shall bear their own costs.

Janardhan
Member (A)

DK Agarwal
Member (J) 6.8.91

Dated the 6th Aug., 1991.

RKM