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CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Original Application No: 1319 of 1993

R.S. Misra

... Applicants.

Versus

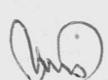
Union of India & ors. Respondents.

Hon'ble Mr. Maharaj Din, J.M.
Hon'ble Miss Usha Sen, A.M.

(By Hon'ble Mr. Maharaj Din, JM)

The applicant has filed this application in which the prayer is made that he should be awarded interest on the delayed payment of amount of gratuity and encashment of leave.

2. The applicant who was in the employment of the Railways had retired from service on 31.5.1988, working as Asstt. Store Keeper in Diesel Locomotive Works, Varanasi. It is stated that after his retirement he retained the Govt. Accommodation which was allotted to him. The eviction proceedings were drawn on the applicant while it was held that penal rent was chargeable for unauthorised occupation of the Railway quarter. The applicant filed an appeal against the order of Estate Officer before the District Judge, Varanasi which was decided by the IX Addl. District Judge, Varanasi vide (Annexure IV). The appeal was partly allowed and the order of Estate Officer was modified to the extent that the Railway Administration was allowed to recover double the rent of the quarter instead of damage rent @ Rs. 130/- per month. The department acting upon the judgement of the appellate Court released the payment of amount of gratuity and leave encashment vide cheques (Annexure XIX) in July, 1993. It is stated by the applicant that he is



entitled to get the interest on the belated payment of the gratuity as well as leave encashment. He after the receipt of the capital amount submitted a representation dated 11.8.1993 (Annexure XVIII) which is lying undisposed of with the respondents. The applicant has cited the circular letter No. F(E) III 79 EL 1/15 dated 3.9.1979 by the Railway Board, according to which the interest is payable on the delayed payment of the amount of DCRG.

3. Thus, in view of these facts and circumstances of the case, we dispose of the application of the applicant at admission stage with the direction that the representation dated 11.8.1993 of the applicant (Annexure XVIII) be disposed of within a period of three months from the date of communication of this order as per rules.

Uhh
Member-A

Wm
Member-J

Allahabad Dated: 4-11-1993

(UV)