

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

ALLAHABAD this the 3rd day of **SEPTEMBER 2010**.

Present:

Hon'ble Mrs. Manjulika Gautam, Member (A)

ORIGINAL APPLICATION NO. 162 OF 2006

Brij Kishore Joshi S/o Shri Bal Mukund Joshi, aged about 63 years, Resident of 527-A/57, K.P. Kakkar Nagar, Dariyabad, Allahabad.

.....Applicant.

VE R S U S

1. Union of India through the General Manager, North Central Railway, Head Quarter Office, Allahabad.
2. The Divisional Railway Manager, Northern Railway, D.R.M Office, Lucknow.
3. The Dy. Chief Engineer/Construction, North Central Railway DRM Office Complex, Allahabad.

.....Respondents

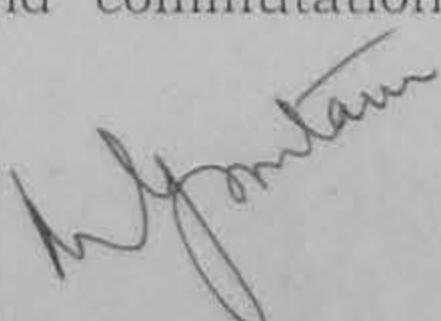
Advocate for the applicant: Sri S.S. Sharma

Advocate for the Respondents : Sri P Mathur.

O R D E R

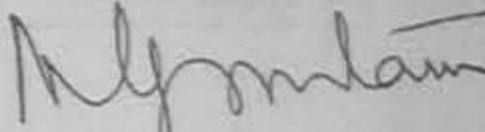
Heard Shri S.S. Sharma, learned counsel for the applicant and Shri P. Mathur, learned counsel for the respondents.

2. This O.A. has been filed for claiming interest on late payment of retiral benefits. It is admitted fact that applicant retired on 31.7.2003 and that he was paid Rs. 3,23,564/- towards gratuity and commutation of pension, which he



received only on 7.7.2004. In the speaking order passed by the respondents dated 9.7.2005, it has been stated that delay occurred due to bifurcation of zones in the Railways, therefore, it is very clear that delay was in no way on the side of the applicant and he cannot be deprived of his retiral claim because zones were being bifurcated. Rule provides for payment of interest on late payment of retiral benefits and, therefore, respondents are directed to pay interest as provided under the Rules on late payment of Rs.3,23,564/- which according to the respondents was paid on 11.5.2004 and according to the applicant has received on 7.7.2004. It is for the respondents to ascertain that the actual date on which payment was received by the applicant as interest will be calculated on the basis of date on which the money was actually received by him. The same may be done within 2 months from the date of receipt of a certified copy of the order.

3. O.A. is accordingly allowed. No order as to costs.


Member (A)

Manish/-