

Non-Payment  
OF Retirement  
Dues (two)

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH

O.A. No. 275 OF 1989.  
Ex-Ax No.

DATE OF DECISION 4-2-1992

Phoolchand R. Hanotia, Petitioner

Mr. R.R. Tripathi, Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondents

Mr. N.S. Shevde, Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.C. Bhatt, Judicial Member.

The Hon'ble Mr.

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

Phoolchand R. Hanotia. .... Applicant.

V/s.

Union of India & Ors. .... Respondents.

ORAL ORDER

O.A.No. 275/1989

Date: 4-2-1992.

Per: Hon'ble Mr. R.C.Bhatt, Judicial Member.

Mr. R.R. Tripathi, learned advocate for the applicant and Mr. N.S. Shevde, learned advocate for the respondents present.

2. This application under section 19 of the Administrative Tribunals Act, 1985, is filed by the applicant praying that the respondents be directed to finally settle and pay the amount of gratuity to the applicant, to commute the pension as per rules and make the payment thereof to the applicant and to fix the final pension of the applicant and the interest also be paid. The learned advocate Mr. Shevde for the respondents had made a statement on 24th January, 1992 that the applicant has been paid DCRG amount vide pay order dated 14th December, 1989. He also submitted that the pension of the applicant is also fixed. The commuted amount has also been paid, and therefore, now there should be no grievance of the applicant.

(6)

The learned advocate Mr. Tripathi for the applicant submitted that the respondents have made delay in making the payment, which the applicant was entitled to without any lawful excuse. He therefore, submitted that the applicant be permitted to make representation to the respondents claiming interest on DCRG amount and commuted amount paid to him beletedly by the respondents. This is a reasonable demand of the applicant and he should be given liberty to make representation to the respondents claiming interest. The respondents to consider the representation made by the applicant and to decide his representation. In case the applicant feels aggrieved by the order on the representation that may be made by him, he would be at liberty to approach this Tribunal as per the law. Hence the following order.

3. The application is disposed of as the applicant is paid his DCRG amount and commuted amount. The applicant at liberty to file representation before the respondents for the claim of interest for the delayed payment and respondents may decide that representation as per the rules. The applicant would be at liberty to file fresh application before this Tribunal for claim of his

interest in case he is aggrieved by the order of the respondents on the claim of his interest that he may make. There will be no order as to costs.

*Trem*

( R.C. Bhatt )  
Member (J)