

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No/4 of 1993
T.A. No.

DATE OF DECISION 18-3-1994

Shri C.N.Vasudevan Petitioner

Mr.M.S.Trivedi Advocate for the Petitioner(s)

Versus

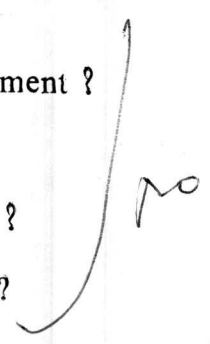
Union of India & others Respondent

Mr.Akil Kureshi Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. V.Radhakrishnan : Member (A)

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 ?
- 

Shri C.N.Vasudevan,
Ex.R.P.O., Ahmedabad.

Applicant

Advocate Mr.M.S.Trivedi

versus

1. Union of India, through,
The Secretary,
Ministry of External Affairs,
C.P.V. Division,
New Delhi.
2. Regional Passport Officer,
C/o, R.P.O. Ashram Road,
Ahmedabad.

Respondents

Advocate Mr.Akil Kureshi

ORAL JUDGMENT

O.A.4 of 1993

Date: 18-3-94

Per : Hon'ble Shri V.Radhakrishnan, Member (A)

Heard Mr.Trivedi, learned advocate
for the applicant. Mr.Akil Kureshi is present for the
respondents.

2. Mr.Trivedi submits the statement
regarding the amounts. There is no doubt that there

has been inordinate delay in payment of leave encashment and group insurance money to the applicant after his retirement on 31-7-1992. Leave encashment has been paid only on 04-1-94, and group insurance has not been paid till this date, and the applicant's ^{balance of} P.F. amount in Rs.15,162/- ~~which~~ is not paid. Mr. Akil Kureshi, learned advocate for the respondents states that the applicant himself was responsible for not submitting the pension papers to the P.A.O. ^{and} ~~on~~ papers were submitted only on 30-4-1992 i.e. three months before the due date of retirement of the applicant. Even assuming that there ^{was} ~~is~~ delay in submitting the papers, there has been undue delay in payment of P.F., leave encashment and group insurance as the applicant had retired on 31-7-1992. The respondents are not able to show proper reasons for such delay in the ^{payment of} ~~retirement~~ dues. After the period of 3 months, he should be entitled for interest at 7 % from 31-10-1992 until the date of payment ~~was~~ as per rules. Accordingly, the respondents are hereby directed to pay simple interest on leave encashment of Rs.50,240/- at 7 % from 31-10-1992 to 4-1-1994. Similarly, on group ~~in~~ insurance amount and unpaid provident fund amount of Rs.15,162/- interest at 7 % from 31-10-92, shall be paid until they are ^{disbursed} ~~distrained~~. The respondents are directed to calculate ~~and~~ and pay the amount

on account of interest along with the balance amount due on P.F. and group insurance within a period of 6 weeks from the date of receipt of this order failing which the rate of interest will be raised ^{to} 10 % beyond that date and until it is paid. With the above directions, the application stands disposed of. No order as to costs.



(V. Radhakrishnan)
Member (A)

'ssh*'