

Order dated 17.6.2002

Heard Shri B.N.Nayak, learned counsel for the Applicant and Shri A.K.Bose, learned Sr.Standing Counsel for the Respondents. By order No.1 dated 20.8.1998, this Tribunal, in a Division Bench, passed the following orders:

"The case of the petitioner is that he retired on superannuation on 31.12.1997. Even though, he has submitted his pension papers in November, 1997 and after his retirement seven months are over, he has not been paid his pension. He has merely received his leave encashment as also CGEIS amount. In view of this, learned counsel for the petitioner prays that a direction be issued to the Respondents to give him provisional pension. As the petitioner has retired on 31.12.1997 and has submitted his pension papers as per his statement in November, 1997, the Departmental Authorities are directed to issue provisional pension order to the petitioner within a period of 45 days from the date of receipt of a copy of this order. Such provisional pension should be sanctioned strictly in accordance with Rules. With the above directions, the prayer for interim relief is disposed of".

To-day Shri Nayak for the Applicant states that all terminal/pensionary benefits have already been granted to the applicant during pendency of the present O.A. (430/98). He, however, prays for a direction to the Respondents for payment of interest for the delay caused in releasing the terminal/pensionary benefits, which is about one years. In the counter filed by the Department, an explanation has been given for the delay in making payment of the pensionary dues. On the face of the said explanation and for the reason of the fact that the pensionary benefits have already been received by the Applicant, this O.A. is disposed-of, without granting any relief on the prayer of the Applicant for grant of interest.

MEMBER (JUDICIAL)

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MEMBER (JUDICIAL)