

1. Counter noted -
Copy received

2. For Admission

178
19.6.02 Bench

Order dated 20.6.2002

Heard Shri D.P.Dhalasamant, learned counsel for the Applicant and Shri S.R.Patnaik, learned Addl.Standing Counsel for the Respondents and perused the records.

Applicant entered into the railway service on 15.4.1961 and received a promotion as M.C.M.Fitter (w.e.f. 1.3.1993) on 16.4.1994. He faced retirement from service on 31.5.1994. Retirement benefits/D.C.R.G. were paid to the Applicant ^{after} almost one year on 19.4.1995. On 3.6.1996 the pension scheme was revised (w.e.f. 1.6.1994) and on consideration of the representation dated 30.11.1996 of the Applicant, differential arrear D.C.R.G. amounting to Rs.1584/- was paid to him on 14.6.1999.

In the present O.A. the Applicant has prayed for interest for delayed payment of D.C.R.G. It is the case of the Applicant that D.C.R.G. ought to have been paid to him within three months (90 days) from the date of his retirement and the Applicant having faced retirement w.e.f. 31.5.1994, ~~his~~ D.C.R.G. ought to have been paid to him by the end of August/94. Since the D.C.R.G. amount was actually paid to him on 19.4.1995, the Applicant claims interest for the period between 1.9.1994 and 19.4.1995.

The facts stated above were not disputed by Shri S.R.Patnaik, Addl.Standing Counsel for the Railways in course of hearing. Shri Patnaik, however, disputes the claim of interest. Shri Dhalasamant, Advocate for the Applicant submits that under the Rules interest was payable to the Applicant for delayed payment of DERG.

In the aforesaid premises, Respondents are directed to pay interest to the Applicant, as due and admissible under the Rules. Interest, if ~~not~~ payable

NOTES OF THE REGISTRY

Ref. or. dt. 20.6.02

Postages paid for order post.

Free copies of final
order dt. 20.6.02 issued
to counsel for both sides
and to all respondents
by ordinary post.

Pr 2/14

S.O (J)

DS
24/6/02

ORDERS OF THE TRIBUNAL

to the Applicant, should be paid to him within
a period of 30 (thirty) days from the date of
receipt of copies of this order.

The O.A., with the observation and
direction^{as} made above, is disposed of. No costs.

20/06/2002
MEMBER (JUDICIAL)

Order dated 20.6.2002

Send copies of the order to the
Respondents at the cost of the Applicant, on
whose behalf Shri Dhalasamant undertakes to
file the required postages by 24.6.2002.

Free copies of the order be made
available to the counsels of both sides.

20/06/2002
MEMBER (JUDICIAL)