

1. Counter-jested -
copy served

2. For Admission

178 Bench
19.6.02

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 services 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 D.C.R.G.

In the aforesaid premises, Respondents are directed to pay interest to the Applicant, as due and admissible under the Rules. Interest, if ~~any~~ is payable

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Reg. Or. dt. 20.6.02

Postages filed 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.

DS
24/6/02

S.O.C.D

P.W.M.

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.

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.

MEMBER (JUDICIAL)

Y.O.L.
20/06/2002Y.O.L.
20/06/2002