

14

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

ORIGINAL APPLICATION NO.500 OF 1999

Cuttack, this the 7th day of March 2003

Dr. (Mrs.) Kanaka Lata Mishra

Applicant

Vrs.

Union of India & Others

Respondents.

FOR INSTRUCTIONS

1. **Whether it be referred to the Reporters or not ?** no
2. **Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ?** no


**(B.N.SOM)
VICE-CHAIRMAN**

15
**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

ORIGINAL APPLICATION NO.500 OF 1999

Cuttack, this the 7th day of *Nov* 2003

CORAM:

HON'BLE SHRI B.N. SOM, VICE-CHAIRMAN

Dr. (Mrs.) Kanaka Lata Mishra, Ex-Senior Medical Officer, Group Centre, SSB, Ranidanga, P.O.-Matigarh, Dist-Darjeeling, West Bengal, now residing at 1/B, Metro Manison, near Rabi Talkies Square, P.O.-Bhubaneswar, Dist-Khurda, Orissa.

.....Applicant

By the Advocate(s)

.....

**M/s. S.K. Patnaik
U.C. Mohanty**

Vrs.

Union of India represented through;

1. Director of Accounts, Cabinet Secretariat, East Block-IX, R.K. Puram, Level-7, New Delhi-110066.
2. Commandant, Group Centra, Ranidanga, P.O: Matigarh, Dist- Darjeeling, West Bengal.
3. Divisional organisor, North Bengal & Sikim Division, Silguri,

..... Respondent(s)

By the Advocate(s) -

.....

Mr. S. Behera

ORDER

SHRI B.N. SOM, VICE-CHAIRMAN:

2
This Original Application has been filed by Dr. (Mrs.) Kanaka Lata Mishra, Ex-Senior Medical Officer, Group Centre, SSB, against the inaction of the respondents in not paying interest on the delayed payment of retirement benefits.

2. The main grievance of the applicant is that the Respondent paid the amount lying in her GPF only during the month of December, 1998 although she retired voluntarily w.e.f. 31.01.1998. By the direction of this Tribunal the respondents submitted a detailed counter regarding the calculation of interest on P.F. and delay, if any, in payment of the balance amount and what interest was paid by them to the applicant for delay in payment if that delay was not attributable to the applicant. After verifying the calculation sheets prepared by the respondents the Ld. Counsel for the applicant submits that whereas the respondents have paid interest for delay in payment of the GPF balance till the month of September, they should in fact pay the interest upto December as the payment was effected by Demand Draft only in December, 1998 vide their memo No.I/A-30/6699 dt.18.12.1998.

3. The Ld. Addl. Standing Counsel explained that the Director of Accounts, Cabinet Secretariat issued authorization for payment of total accumulation of applicant's GPF amounting to Rs.9,99,989 (Rupees nine lakh ninty nine thousand nine hundred eighty two only) on 25.09.1998 and the applicant was asked to submit the bill for payment being self drawing and disbursing officer. The applicant submitted the bill vide her letter dated 07.10.1998 which was

submitted to the Director Accounts on 20.10.1998 and then the Demand Draft for the entire amount was sent on 18.12.1998.

4. From the above clarification given by the Addl. Standing Counsel it is clear that the applicant was entitled to payment of interest for delayed payment beyond September, 1988 because it was only in the 3rd week of December, 1988 that the Respondents actually issued Demand Draft for payment. In the aforesaid premises I order that the Respondents should pay interest for another 45 days after 30.09.1998 on the amount of Rs.9,99,982/- to the applicant to make good the delay caused by administrative bottleneck in settling her GPF claim. Accordingly the O.A succeeds. No cost.


(B.N. SOM)
VICE-CHAIRMAN

CAT/CUTTACK
Kalpeswar