

7 04 637/2000

Order dated 12.3.2002

Heard the learned counsel on either sides.

By way of imposition of punishment on the applicant, Rs.15,000/- was recovered from him. While Rs.10,500/- was recovered from his pay, the balance amount of Rs.4500/- was recovered from the gratuity. Challenging the said recoveries, the applicant approached this Tribunal in O.A.299/95, which was disposed of vide order dated 18.1.1999; wherein the Tribunal was pleased to quash the order of recoveries.

Pursuant to the order of the Tribunal, vide order dated 25.6.1999 under Annexure-1, orders were passed by the respondents to refund the amount of Rs.10,500/-. Under Annexure-2 dated 26.6.1999, the said respondents(Res.3) passed the orders to refund Rs.4500/- to the applicant. Pursuant to those orders, the amounts recovered from the applicant were refunded. Thereafter, the applicant by representation dated 29.7.1999 demanded interest on delayed payment of gratuity. He again represented on 2.9.2000. When no heed was paid to the ^{prayer for} ~~same~~ payment of interest, the applicant filed the present O.A. in December, 2000, seeking interest on the aforesaid amount.

Respondents have filed their counter opposing the prayer of the applicant.

The amounts sought to be recovered by the respondents were recovered from the salary and a part thereof from the gratuity amount and the Tribunal, on analysis of the matter, held the recoveries ^{to be} ~~bad~~ as a result of which the amount recovered from the applicant has been

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

refunded in June, 1999 and therefore, the applicant is entitled to interest for the period of six months, i.e. from January, 99 to June, 99. No reasonable explanation has been offered by the respondents, this case as to why interest for the intervening period of six months should not be paid by them.

On consideration of the facts and circumstances of the case, I direct the Respondents to pay interest at the rate of 10 per cent per annum on the amount of Rs.15,000/- for the period commencing from 18.1.1999 till June, 1999, which shall be paid to the applicant within a period of one month from the date of receipt of copy of the order.

The O.A. is disposed of in the aforestated terms, but without any order as to costs.


MEMBER (JUDICIAL) 12/03/20

Copies of order
may be sent to
the court for
booke.

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4.4.2

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S.O.B.