

3
O.A.No. 405 of 2006.

Order dated 10-05-2006.

Heard Mr. N.R.Routray, Learned Counsel appearing for the Applicant and Mr. R.C.Rath, Learned Standing Counsel appearing for the Respondents/Railways; on whom a copy of this Original Application has already been served.

Non-payment of differential retirement benefits consequent upon antedated regularization of the Applicant from 01-04-1984 to 01-04-1988, under Annexure-A/3, is the subject matter of consideration in this Original Application under section 19 of the Administrative Tribunals Act, 1985.

It appears that the Applicant was a Gr. D employee under the Railway and has retired from Railway service with effect from 30-06-2005, attaining the age of superannuation. It has been disclosed that he has submitted a representation under Annexure-A/4 dated 20-07-2005, requesting the Railway authorities to disburse the differential arrears along with higher rate of

2007/2

5

-2-

pension and accordingly to revise the PPO. But the Applicant is yet to receive any response .

Delay in disbursement of financial benefits of a retired Govt. employee has often been deprecated by various courts and for that the Courts/Tribunals have been consistently granting interest on the delayed payment. In the instant case, prima facie, it appears that there is no reasonable ground for the Railway authorities to delay disbursement of arrears/pension accrued to the Applicant on account of his antedated regularization. Considering the facts and circumstances of the case, I do not feel inclined to direct issuance of notice, which in the process would cause avoidable delay.

Having regard to the above facts and circumstances of this case and with the consent of the learned counsel for both sides, this Original Application is disposed of, at this admission stage, with direction to the Respondents to consider the representation of the Applicant under Annexure-A/4 dated 20-07-2005 with a view to disbursing the differential arrears and increased

10/12

- 3 - 5

pension to which the Applicant is entitled to pursuant to Annexure-A/3, within a period of 60 days from the date of receipt of copies of this order. There would be no order as to costs.

Send copies of this order along with copies of the O.A. to the Respondents and free copies of this order be given to learned counsel for both sides.

B.B. Mishra
(B.B.MISHRA)
MEMBER (ADMINISTRATIVE)