

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

ORDER DATED 02/04/2003.

Heard Mr. P. K. ^{Khuntia} ~~Dash~~ Learned Counsel appearing for the Applicant and Mr. B. Dash Learned Additional Standing Counsel appearing for the Respondents and perused the records.

The Applicant a retired GDSBPM has filed this Original Application U/s.19 of the Administrative Tribunals Act, 1985, virtually claiming interest on the delayed payment of terminal benefits. Applicant faced retirement from service on attaining the age of superannuation on 02-02-2001. No terminal benefits having been given to him, he files successive representations and, as it appears, the Respondents called upon the Applicant to deposit a penal amount (for he being attended the illegal strike during April, 2001). In response to the said notice of the Respondents, the Applicant deposited the required amount on 22.05.2001 to clear his outstanding dues. As it appears, the terminal benefits were sanctioned in favour of the Applicant long after one year on 07.06-2002 and the said sanctioned amount of terminal benefits were actually paid to the Applicant on 15-06-2002. In the present O.A. filed in June, 2002, the Applicant has prayed for interest on the delayed payment of the terminal benefits. Under the Rules governing the field, interest is available to be levied/paid to a retired employee for the delayed payment of terminal benefits.

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No satisfactory explanation has been given in the counter to the O.A. filed by the Respondents for the delay caused between May, 2001 and June, 2002 in the matter of payment of terminal benefits to the Applicant. Standing circular of the Deptt. of Posts provides that 12% compound interest is available to be levied/paid for the administrative lapses in the matter of terminal benefits to EP personnel.

In the said premises, this Original Application is disposed of with a direction to the Respondents to pay interest @ 12% per annum on the terminal benefits paid to the applicant ; in absence of cogent reasons for the long delay of making payment between May, 2001 and June, 2002. The interest should be calculated and paid to the Applicant by the Respondents within a period of 120 days from the date of receipt of a copy of this order.

With the observations and directions made above, this Original Application is disposed of. No costs.

(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)

Copy of order dt. 2.4.03
issued to the counsel
for both side.

[Signature]
2.4.03

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