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O.A. No. 128/08

ORDER DATED 18th JULY, 2008

Coram:

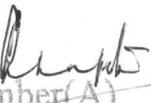
Hon'ble Mr. C.R. Mohapatra, Member (A)

Mr. N.R. Routray, Ld. Counsel for the applicant submits that the applicant has received the ~~value~~ ^{amount} of pension and DCRG etc., for which he had filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985. The only contention is that there has been some delay in payment of DCRG beyond the grace period of 03 months and he claims that the applicant is entitled to interest for the period of delay in terms of Rule 87 of Railway Services (Pension) Rules, 1993.

2. Mr. S.K. Ojha, Ld. Standing Counsel for the Respondents submits that the aspect of delay has to be considered by the General Manager or the Administrative Head of the Railway Unit as provided under the Rules. Hence this matter has to be taken up with Respondent No.3 who will seek the orders of the competent authority. In view of this procedural requirement, Respondent No.3 is directed to look into the aspect of delay in payment of gratuity to the applicant. In case there has been delay beyond the period of 03 months from the date when the payment as admissible became due ~~and~~ ^{admissible}, the applicant shall be entitled to payment of simple interest of 9% till the date of actual payment. In any

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case, this exercise shall be finalized within a period of 03 months from the date of receipt of the copy of this order. With the above observation and direction this O.A is disposed of. No order as to costs.


Member(A)

