

8

O.A. No. 370 of 2008

Order dated: 07.10.2009

CORAM:

Hon'ble Mr. Justice K. Thankappan, Member(J)

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

Heard Mr. N.R.Routray, Ld. Counsel for the applicant and Mr. S.K.Ojha, Ld. Standing Counsel for the Respondents.

2. The applicant has filed this O.A. with the following payers:

To direct the Respondents to issue fresh PPO mentioning the scale and pay as Rs. 3050-4590/-.

And direct the Respondents to pay the DCRG, commuted value of pension, leave salary and arrear pension with 12 % interest for the delayed period."

3. In pursuance to the notice ordered, a counter reply has been already filed on behalf of the Respondents, in which it is admitted that the amount due has been paid to the applicant.

4. At this stage, the Ld. Counsel for the applicant Mr. N.R.Routray contends that the delay in disbursement of arrears caused very much inconvenience to the applicant, and that the delay is due to default occurred on the part of

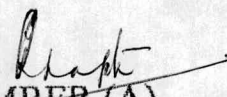


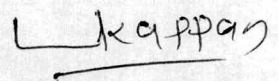
9

the Department, for which he should be paid interest as per the rules.

5. On the second question, we have now gone through the affidavit filed on behalf of the applicant and also to the counter/reply statement filed by the Respondents. In the counter reply, it is specifically stated that during the pendency of the O.A. the Department found out certain discrepancy in the service record of the applicant for which he was given information to rectify the same by him and that had taken some time to settle the claim of the applicant. If so, we are not inclined to direct payment of any interest as the applicant, for the aforesaid reasons, cannot be completely absolved of his liability.

6. In the above circumstances, the O.A. stands disposed of by recording that the first prayer of the applicant has already been met by the Department.


MEMBER (A)


MEMBER (J)

RK