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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No.306/2012
27.04.2015

Cuttack this the 2015.

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Raimani Marandi @ Majhi Applicant

-Versus-

U.O.I. and Ors. Respondents

FOR INSTRUCTIONS

1. Whether it be referred to the reporters or not? ✓
2. Whether it be referred to PB for circulation? ✓


(A.K.Patnaik)
Member(J)

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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No.306/2012

Cuttack this the 27th of April, 2015

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THE HON'BLE MR. A.K.PATNAIK, MEMBER (JUDL.)

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Raimani Marandi @ Majhi, aged about 54 years
W/o Late Chaitan, Ex. Khalasi, O/O Dy. CE/Con.,
East Coast Railway, Station Bazar, Cuttack, at
present C/o Prasana Kumar Dehury, Qr. No. T-
10/B, Railway Colony, Near O/O DSK/Con., PO –
College Square, Town/District Cuttack.

...Applicant

(Advocate: Mr. N.R.Routray)

VERSUS

1. Union of India represented through the
General Manager, East Coast Railway, Rail Vihar,
Chandrasekharapur, Bhubaneswar, District Khurda.

2. Senior Personnel Officer/Construction/
Coordinatin / East Coast Railway, Rail Vihar,
Chandrasekharapur, Bhubaneswar.

3. Deputy Chief Engineer / Construction / East
Coast Raiway, Station Bazar, PO College Square,
Town/District Cuttack.

4. Senior Divisional Financial Manager, East
Coast Railway, Khurda Road Division, At/P.O.
Jatni, District Khurda.

5. Manager, Link Branch, State Bank of India,
CuttackCity, College Square, Town/District Cuttack.

... Respondents

(Advocates: Mr.R. S. Behera)

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ORDER (Oral)**A. K. PATNAIK, MEMBER [J] :**

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Heard Mr. N.R.Routray, Learned Counsel for the Applicant and Mr. R.S.Behera, Learned panel counsel appearing for the Railway-Respondent.

2. Mr.Routray confined his argument only for payment of interest as per Rule 87 of the Railway Service Pension Rules, 1993 on the delayed payment of the dues of her husband and family pension etc as in compliance of the order dated 20.05.2011 in OA No. 321 of 2011 the Respondents issued the PPO in favour of the applicant on 09.12.2011 and during the pendency of the instant OA, they have paid all the financial benefits including DCRG amount. But though the applicant is entitled to interest as per the aforesaid rules the same has not been paid to her especially when the delay is not attributable to the applicant.

3. On the other hand, Mr.Behera drew my attention to the representation dated 07.03.2011 vis-a-vis the earlier order of this Tribunal dated 20.05.2011 in OA No. 321 of 2011 and has contended that in the representation the applicant did not pray for payment of any interest. The direction of this Tribunal to consider



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her representation and on consideration of the same the applicant was paid all the dues. The PPO was issued in favour of the applicant but the same was returned with remark incorrect address and only after getting correct address the bank despatched another letter in compliance of which the applicant submitted the requisite paper before the Bank for payment of pension and other benefits. Hence the applicant is not entitled to the interest as claimed by her.

4. I have considered the rival submissions of the parties and perused the records. I also find that in the representation the applicant did not utter a single word with regard to payment of interest. In the earlier order the direction of this Tribunal was to consider the representation of the applicant. This OA has virtually been filed alleging non compliance of the earlier order of this Tribunal. I also find that the husband of the applicant died on 31.08.2005 whereas it is not known as to why the applicant kept silent till 07.03.2011 i.e. the date of submission of representation. In compliance of the order of this Tribunal, the Respondents issued the PPO but the same was returned with remark incorrect address and only after getting correct address the bank

[Signature]

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despatched another letter in compliance of which the applicant submitted the requisite paper before the Bank for payment of pension and other benefits. Therefore, the stand of the applicant that the delay is not attributable for which she is entitled to interest cannot be accepted.

5. For the reasons stated above, I am not inclined to hold that the applicant is entitled to interest. Since other benefits have already been paid to the applicant, the prayer of the applicant for payment of interest is rejected. OA is accordingly disposed of. No costs.



[A.K.Patnaik]
Member (Judl.)

J