

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

R.A. 13 of 98  
(M.A. 400 of 97)  
(T.A. 118 of 96)

Date of order : 14.6.2001

Present : Hon'ble Mr. D.Purakayastha, Judicial Member  
Hon'ble Mr. M. P. Singh, Administrative Member

GOUR HARI CHANDRA

VS

UNION OF INDIA & ORS

For the applicant : Dr.(Ms.) S.Sinha, Counsel

For the respondents : Mr. S.P.Kar, Counsel

O R D E R

D.Purakayastha, J.M.:

This review petition has been filed praying for review of the order dt. 20.2.98 passed in MA 400 of 97 arising out of TA 118 of 1996. In the MA the petitioner had prayed for interest for delayed payment of gratuity.

2. After retirement from service, the applicant<sup>received</sup> notice dated 7.10.78 proposing to initiate a minor penalty proceeding against him for certain alleged misconduct. Challenging the same, the applicant filed a writ petition before the Hon'ble Calcutta High Court which stood transferred to this Tribunal and registered as TA 115 of 1996. ~~During the pendency of the TA~~ The applicant retired from service w.e.f. 30.4.78 and during the pendency of the TA the proceeding was dropped on 12.4.82 and the applicant was paid his gratuity on 19.8.82. The Tribunal held that the applicant was entitled to interest from the date of dropping of the proceeding till the date of payment of gratuity and ordered that he will get interest at the rate of 10% per annum for the period from 12.7.82 (3 months after the date of dropping of the charge) to 19.8.82.

3. In the RA, the applicant has contended that when the respondents have dropped the proceeding against him, he should be entitled to interest from the date of his retirement as he is not