

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. 1053 of 1996

Date of Order: 29.12.97.

Present: Hon'ble Mr. Justice S.N. Mallick, Vice-Chairman.

Hon'ble Mr. M.S. Mukherjee, Administrative Member.

ANADI NATH BANERJEE

-VS-

UNION OF INDIA & ORS.

For the petitioner: Mr. B.C. Sinha, counsel.

For the respondents: Mr. S. Choudhury, counsel.

Heard on: 29.12.97.

O R D E R

S.N. Mallick, V.C.

After hearing the 1st. counsel appearing for the respective parties, we admit this application and on consent, we take up this application as on to-day's list for final disposal.

2. In the instant application, the petitioner has prayed for a direction upon the respondents to pay interest on the DCRG amount of Rs 37,620/- @ 18% per annum due to delayed payment of the same to the petitioner by the respondents. The petitioner's case is that while working under the respondents, he retired on 30.11.94 on superannuation. He received pension on 1.12.94 but the DCRG was released only on 10.7.96. The petitioner claims that he should be paid interest at the rate of 18% per annum on the above sum as the delay was made by the respondents without any reasonable cause. The respondents in their reply have stated in paragraph 11 that the petitioner worked in different stations during his service life and he was custodian of various

valuable goods of the Railways and after his retirement, all retirement benefits have been paid to him except the DCRG amount for late receipt of commercial debit clearance from the Senior DCM, S.E.Rly, Adra. This clearance was received in May, 1966 and DCRG was paid to the petitioner in June, 1966 which is not correct. It was paid on 10.7.96.

3. The DCRG should have been paid immediately after the retirement of the petitioner and in this case, on perusal of records, we find that there is no adverse ACR, nor any D.AA case, Vigilance nor any unauthorised occupation of Rly. quarter against him. Thereafter, it cannot be said that there was any reasonable cause on the part of the respondents to make such delayed payment of the DCRG to the petitioner. Under the circumstances, we are of the view that the petitioner should get interest @ 18% per annum on the above sum from 1.12.94 to 10.7.96 and the petitioner is also entitled to costs as, due to such delayed payment, he had to move this Tribunal for redress.

4. Under the circumstances, we allow this application with costs assessed at Rs. 500/- (Rupees five hundred) and the respondents are directed to pay interest at the rate of 18% per annum from 1.12.96 to 10.7.96 on the DCRG amount received by the petitioner within 6 weeks from the date of communication of this order along with costs.

M.S. Mukherjee
(M. S. Mukherjee)
Member (A)

S.N. Mallik
(S.N. Mallik)
Vice-Chairman.