

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR**

(Signature)

Original Application No. 96/2006

Date of order: 27.03.2008

HON'BLE MR. M.L. CHAUHAN, MEMBER (J)

G.P. Sharma S/o Late Sh. M.R. Sharma, By Caste Brahmin, Aged 72 years, Resident of Phool Bagh, Near Govt. Primary School, Mandore, Jodhpur. Retired Supdt. of Post Office, Pali Marwar.

...Applicant.

Mr. Nitin Trivedi, proxy counsel for
Mr. S.N. Trivedi, counsel for applicant.

VERSUS

1. Union of India through Secretary, Ministry of Communication, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
3. The A.D.G. (Pension), Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
4. The Chief Post Master General, Rajasthan Circle, Department of Posts, Jaipur.
5. The Post Master General, Rajasthan Western Region, Department of Posts, Jodhpur.
6. The Superintendent of post Offices, Main Post Office, Pali Division, Pali.

... Respondents.

Mr. M. Godara, proxy counsel for
Mr. Vinit Mathur, counsel for respondents.



ORDER
Per Mr. M.L. Chauhan, Member (J)

The applicant has filed this Original Application thereby

praying for the following relief:

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"(A) By an appropriate order of direction the respondents may kindly be directed to pay interest @ 12% per annum on arrears of other items also i.e. pension, commuted pension, gratuity and encashment of leave etc. in light of the letter dated 6-11-1992 (Annex. A/1).

(B) By an appropriate order the respondents may kindly be directed to give the compensation of amount of Rs..... to the applicant on account of not paying the interest @ 12% per annum on the amount of arrears paid to the applicant due to which the applicant has gone through the mental agony from almost last 12 years.

(C) That any other order or direction, which this Hon'ble Tribunal deems fit and proper, in the facts and circumstances of the case, may kindly be passed in favour of the applicant.

(D) That the cost of the Original Application may kindly be awarded in favour of the applicant.

2. In nutshell, the case of the applicant is regarding the payment of interest @ 12% per annum on arrears of the amount pertaining to the payment of D.C.R.G., Encashment of Leave, arrears of difference on account of commutation and the interest payable on arrears of the pension on the amount as mentioned in para 9 of the O.A.
3. Notice of this Original Application was given to the respondents. The respondents have filed reply. In para 5 (a to g), the respondents have stated that the matter has been referred to the respondent No. 2 i.e. the Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi, and after the receipt of specific orders / sanction from him, the payment shall be made.
4. From the perusal of the document placed on record i.e. Annexure A/4 dated 04.08.2005, it is clear that the matter was referred by the Senior Accounts Officer, Office of the Postmaster General, Rajasthan Western Region, Jodhpur to



the Office of the respondent No. 2 in continuation of the earlier letter dated 04.03.2004 and subsequent reminder dated 02/04.02.2005 but no action has been taken by the respondent No. 2.

5. In view of the facts as stated above and more particularly stand taken by the respondents in the reply, I am of the view that this matter can be disposed of at this stage with a direction to the respondent No. 2 to decide the claim of the applicant regarding payment of interest. Accordingly, the respondent No. 2 is directed to settle the claim of the applicant as referred to him by the Office of the Postmaster General, Rajasthan Western Region, Jodhpur within a period of two months from the date of receipt of a certified copy of this order by passing speaking and reasoned order and in case the applicant is held entitled to some amount, the same shall be paid to him within a period of one month after passing of the order.



6. With these observations, the Original Application is disposed of with no order as to costs. It is made clear that in case the applicant is still aggrieved, it will be open for him to agitate the matter again.

[M.L. Chachan]
Member (J)

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214