

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

O.A. No.1242 of 1997

Present: Hon'ble Mr. D. Purkayastha, Judicial Member

Bejon Kumar Banerjee, Drilling Engineer
Senior, CHQ (Retd.), G.S.I., Calcutta-
16 at present residing at 21, Kallidas
Patitundi Land, Kalighat, Calcutta-26

.... Applicant

VS

1. Union of India, through the
Secretary, Ministry of Mines, Govt. of
India, Shastri Bhavan, New Delhi-1

2. The Controller of Accounts, Central
Accounts Office, (Dept. of Mines),
Geological Survey of India, 16A,
Brabourne Road, Calcutta-700 001

3. The Director General, Geological
Survey of India, 27, Jawaharlal Nehru
Road, Calcutta - 700 016

.... Respondents

For the Applicant : Mr. S.M. Mookherjee, counsel
Mr. S.S. Sen, counsel

For the Respondents: Ms. K. Banerjee, counsel

Heard on 11.9.1998

: : Date of order: 11.9.1998

Q. R. D. E. R.

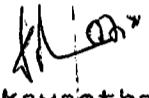
Applicant, Shri Bejon Kumar Banerjee, retired Senior
Drilling Engineer, G.S.I., Calcutta approached this Tribunal with
the prayer for a direction upon the respondents to grant
pensionary benefits after counting his first service in the
O.N.G.C. for the period from 22.7.60 to 28.4.64. He approached
the authority to grant the same benefit in the year of 1965, but
the respondents did not settle the matter till date. Ultimately,
the Director General, Geological Survey of India by a letter
dated 3.12.97 intimated the applicant that the Govt. of India
has decided to count his past service as claimed by him provided
the applicant pays interest on Rs.1023/-. Thereafter the
applicant by several letters including letter date 19.12.97,
requesting the respondents to intimate the total amount of
interest on Rs.1023/latest by 15.1.98. But till date the

respondents did not intimate the amount of interest inspite of several reminders.

2. Heard the learned counsel of both the parties . At the time of hearing Ms. Banerjee, learned counsel submits that since the Government has decided to grant the pensionary benefits after taking into account the past service from 22.7.60 to 28.4.64 by letter dated 3.12.97 provided the applicant deposited the interest on Rs.1023/-, the application has become infructuous. But grievance of the applicant is that despite his repeated requests the amount of interest on Rs.1023/- has not been intimated to him; thereby the applicant could not deposit the interest to the respondents. At the time of hearing the learned counsel, Mrs. Banerjee also could not say what was the exact amount of interest to be deposited on Rs.1023/- as claimed by the respondents. In the absence of any calculation, I find that it is really difficult on the part of the applicant to deposit the interest without correct calculation of interest as claimed and I do not find any reason why the Department did not intimate the real amount of interest to be deposited by the applicant inspite of repeated requests made by the applicant.

3. In view of the aforesaid circumstances, it is seen that the applicant raised the claim in the year of 1965 and the Department did not settle up the matter till 1997 as appeared from the letter dated 3.12.97, thereby the applicant is not liable to pay any interest on Rs.1023/- after raising the claim of pensionary benefits by a letter. So I direct the respondents to accept the interest at the rate of 6% only on Rs.1023/- for the period upto 7.2.65. The applicant will only deposit interest at the rate of 6% on Rs.1023/- from the date of due till 7.2.65 and the respondents are directed to accept the interest and grant pensionary benefits after taking into account the period in question in this application. Accordingly the application is disposed of. It is found that there is an inordinate delay in

the matter of settlement of dues despite repeated requests made by the applicant to the authorities in time and the respondents only decided the matter in the year of 1997. So for the inordinate delay in the settlement of dues of the applicant, he is entitled to get interest on pensionary benefits which would be admissible to him from the date of 30.9.94 till payment is made at the rate of 12% per annum. Accordingly, application is allowed, awarding no costs.


(D. Purkayastha)

MEMBER (J)

11.9.1998