

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.570/1997

Wednesday this the 9th day of July, 1997.

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

P.K.Gangadharan,  
Retd. Chief Goods Supervisor,  
Southern Railway, residing at  
Palackal House, Ponnarimangalam,  
Muluvukadu PO,  
Ernakulam. ... Applicant

(By Advocate Mr.T.C.Govindaswamy)

Vs.

1. Union of India through the General Manager,  
Southern Railway, Headquarters Office,  
Park Town PO, Madras.3.
2. The Divisional Railway Manager,  
Southern Railway,  
Trivandrum Division, Trivandrum.14.
3. The Divisional Commercial Manager,  
Southern Railway, Trivandrum Division,  
Trivandrum.14.
4. The Senior Divisional Personnel Officer,  
Southern Railway,  
Trivandrum Division,  
Trivandrum.14. ... Respondents

(By Advocate Mr.Santhosh Mathew for Smt.Sumati Dandapani).

The application having been heard on 9.7.1997, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The grievance of the applicant who retired from the services of the Railways on superannuation on 31.12.1996 is that for no justifiable reason a sum of Rs. 35,000/- (Rupees thirty five thousand) out of his gratuity had been withheld by the respondents. Therefore, the applicant has filed this application for a

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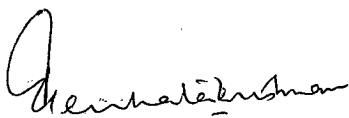


direction to the respondents to pay the withheld amount of gratuity with eighteen percent interest per annum with effect from 1.1.1997.

2. The respondents have filed a reply statement in which it has been indicated that a sum of Rs.35,000/- was withheld as anticipated commercial debits, that later Rs.33,000/- was disbursed to the applicant on 8.5.97 and that the remaining Rs.2,000/- was paid on 25.6.97. No good and sufficient reason has been stated in the reply for withholding of the amount. The amount of gratuity should have been paid to the applicant latest by 31.3.97 ie., after the expiry of a period of three months from the date of his superannuation. Therefore in the interest of justice, the respondents have to be directed to pay to the applicant interest at 12 per cent per annum from 1.4.97 till the date of payment namely 8.5.97 and 25.6.97.

3. In the light of what is stated above, we dispose of this application with a direction to the respondents to pay to the applicant <sup>at 12 per cent per annum</sup> interest <sup>on</sup> Rs.33,000/- from 1.4.97 till 8.5.97 and on Rs. 2,000/- from 1.4.97 till 25.6.97. Payment as aforesaid shall be made within a period of one month from the date of receipt of a copy of this order. Parties will bear their costs.

Dated the 9th day of July, 1997.



P.V.VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER



A.V.HARIDASAN  
VICE CHAIRMAN

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