

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**ERNAKULAM BENCH**

**Original Application No. 218 of 2010**

**Friday, this the 21<sup>st</sup> day of May, 2010**

**CORAM:**

**Hon'ble Mr. George Paracken, Judicial Member**  
**Hon'ble Mr. K. George Joseph, Administrative Member**

A.T. Jose, IPS, Superintendent of Police (Retired),  
 Peace Lane, SRM Road, Pachalam P.O.,  
 Cochin-682 012.

..... **Applicant**

**[By Advocate – Mr. Shyam Raj for Mr. George Jacob (Jose)]**

**V e r s u s**

1. The State of Kerala, represented by the Secretary,  
 Home & Vigilance Department, Government Secretariat,  
 Thiruvananthapuram.
2. The Chief Secretary, Government of Kerala,  
 Secretariat, Thiruvananthapuram.
3. The Principal Secretary to Government, Finance  
 (Pen. A Department), Secretariat,  
 Thiruvananthapuram.

..... **Respondents**

**(By Advocate – Mr. N.K. Thankachan, G.P.)**

The application having been heard on 21.05.2010, the Tribunal on the same day delivered the following:

**ORDER**

**By Hon'ble Mr. George Paracken, Judicial Member -**

The applicant is an Indian Police Service Officer who retired from service of the respondents State on 31.5.2009. As he was not disbursed the retirement benefits including the death-cum-retirement gratuity, commuted pension value and monthly pension, immediately after his retirement he has



approached this Tribunal to direct the respondents to release those benefits within the stipulated time with interest @ 12% per annum for delayed payment from 1.2.2009.

2. The respondents in their reply has submitted that at the time of his retirement, a vigilance case No. VE 12/2007/CRE regarding amassment of wealth disproportionate to income was pending against him. Even though the Director, Vigilance & Anti Corruption Bureau had sent a report to Government, recommending no action against him, some particulars regarding the total earning of the accused during the check period, the assets procured by him, how much asset is seen disproportionate to his source of income etc. were not seen in the Vigilance Inquiry report. Therefore, the Government had requested a clarification from the Director, Vigilance & Anti Corruption Bureau. An inquiry based on the points exposed by the Government was conducted and accordingly, the Director, Vigilance & Anti Corruption Bureau furnished report suggesting no action against the applicant. Consequent to the aforesaid decision, the respondents State has submitted that they are taking necessary action to sanction the pension and other retirement benefits to the applicant as per rules.

3. In view of the aforesaid submission that the respondents are taking necessary action to disburse the retirement benefits of the applicant, we allow this OA with the direction to the respondent State to ensure that the retirement benefits are paid to him within a period of one month from the date of receipt of a copy of this order. The applicant is also entitled for

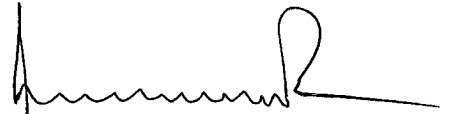
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interest for the delayed payment @ 9% per annum from 1.2.2009 till the payments are actually made.

4. There shall be no order as to costs.



**(K. GEORGE JOSEPH)**  
**ADMINISTRATIVE MEMBER**



**(GEORGE PARACKEN)**  
**JUDICIAL MEMBER**

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**C.P(C) 130 OF 2010 IN O.A. NO. 218 OF 2010**

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remains is only interest on arrears of pension. Sanction was also accorded for the payment of ₹ 1,23,403/- being interest on the delayed payment of pensionary benefits @ 9% from 01.02.2009 to 27.09.2010. It is also submitted that gratuity has been paid along with interest. According to the petitioner, interest on arrears of pension has not been paid. In view of the substantial compliance of the order, we do not think that the C.P(C) deserves to be considered further. Hence C.P(C) is closed.

Dated, the 28<sup>th</sup> February, 2011.



**K GEORGE JOSEPH**  
**ADMINISTRATIVE MEMBER**



**JUSTICE P.R.RAMAN**  
**JUDICIAL MEMBER**

VS