

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

ORIGINAL APPLICATION NO:367/2009.
DATED THE 31st DAY OF JULY, 2009.

CORAM:

HON'BLE Ms K NOORJEHAN, ADMINISTRATIVE MEMBER

Mr P Vijayakumaran Nair,
Rtd.Asst. Supdt. Of Posts,
O/o.The Postmaster General Kochi,
Residing at Pranavam House,
Pallimattom Compound,
Thalayolaparambu P.O.,
Pin - 686 605 ... Applicant

By Advocate Mr P C Sebastian

V/s

- 1 The Postmaster General,
Central Region, Kochi-682 018.
- 2 The Director of Accounts(Postal),
Thiruvananthapuram.
- 3 The Chief Postmaster General,
Kerala Circle, Thiruvananthapuram.
- 4 The Union of India,
Represented by its Secretary,
Ministry of Communications,
Department of Posts,
New Delhi. ... Respondents

By Advocate Mr TPM Ibrahim Khan SCGSC

This application having been heard on 31.07.2009 the Tribunal on the same day delivered the following

ORDER

HON'BLE MRS. K. NOORJEHAN, ADMINISTRATIVE MEMBER

The short question that comes up for consideration in this O.A. is regarding the inordinate delay in the payment of savings fund accrued under CGEGIS Scheme 1980, to a retired Assistant Postal Superintendent of Offices.

2 According to the applicant he retired from service on 31.10.2008. A sum of Rs. 31,236/- was sanctioned by order dated 27.11.2008 being the entitlement from savings fund accrued to him under the CGEGIS Scheme 1980. But, he has not received the said amount due to unjustifiable delay on the part of the 2nd respondent to authorize payment.

2 When the O.A. came for admission on 9.6.2009 Mr. TPM Ibrahim Khan, SCGSC took notice on behalf of the respondents. They were directed to file reply statement within four weeks. The applicant was directed to file rejoinder if any within two weeks thereafter and the case was listed for disposal on 27.7.2009.

3 Today when the case was taken up for disposal, no reply statement was filed. However, the learned counsel for the applicant admitted that the payment has been effected a day before. Therefore, nothing survives for adjudication except the question of interest and costs. The learned counsel for the applicant vehemently argued for payment of interest and costs of the litigation.

4 Normally the pension papers are moved well in advance so that most of the retiral benefits could be paid on the very same day of

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retirement. The applicant has no complaint about payment of other retiral benefits. There would not have been any delay in the case of CGEGIS because the calculation chart is readily available. The sanction order has also been issued. The respondents have no cogent reason to defend the delay. In this view of the matter, I am of the view that the delay caused is unwarranted and unnecessary. This is a fit case for awarding interest for the unwarranted delay caused towards the payment of CGEGIS.

5 In the result, in view of the submission made by the learned counsel for the applicant that the amount in question has already been disbursed to the applicant, I am of the view that the O.A. has become infructuous. Accordingly it is dismissed as infructuous. In the facts and circumstances of the case, I order payment of 8% interest from 27.11.2008, the date of sanction order till the payment is made. However, there shall be no order as to costs.

Dated 31.7.2009


K. NOORJEHAN
ADMINISTRATIVE MEMBER

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