

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.430/2006
This the 09th day of January 2008

HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.

Kamta Prasad, aged about 64 years son of late Prahlad, Resident of Village Phutaha Kuwan, Near Police Line, Bahraich.

...Applicant.

By Advocate: Shri Surendran P.

Versus.

1. Union of India, through the Secretary, Department of Posts, New Delhi.
2. Chief Post Master General, U.P. Circle, Lucknow.
3. Director of Postal Services, Gorakhpur Region, Gorakhpur.
4. Superintendent of Post Offices, Bahraich.

By Advocate: Shri Jitendra Verma.

ORDER (Oral)

BY HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.

Heard Shri Surendran P, the learned counsel for the applicants and Shri Jitendra Verma, the learned counsel for respondents.

2. The applicant has filed this O.A. to issue direction to the respondents to pay interest @ 12 % and also penal interest on delayed payment of retrial benefits. It is the case of the applicant that he was retied on 31.01.2003. At that time, some disciplinary proceedings were pending against him but subsequently they have been dropped by the Director of Postal Services, vide order dated 17.03.2003 and also directed the Superintendent of Post Office to pay all retrial dues and benefits within a week. But the respondents have not paid the said retrial benefits and as such, he was constrained to file O.A. on the file of this Tribunal and the same was disposed of on 04.07.2003 by granting 15 days time to the respondents for payment of all retrial dues and other benefits. Annexure-2 is the copy of said order. Inspite

of such order, the respondents have not paid the payment immediately and they made such payments in the month of August and September, 2005. Thus, he is entitled for interest on delayed payments of retrial benefits.

3. Leaned counsel for respondents also admits that there was delay in payment but stated that respondents are not liable to pay any interest.

4. Admittedly, there was delay in payments of all the retrial dues of the applicant. Further, there was direction from this Tribunal dated 04.07.2003 passed in O.A.No.285/2003, to expedite payment of retrial dues/benefits including grant of regular pension to the applicant within 15 days from the date of communication of this order, in the light of Director Postal Services letter dated 17.03.2003. Inspite of such directions, the respondents have not paid the retrial dues and benefits to the applicant and admittedly, there is delay of more than two years. In such circumstances, the applicant was justified in claiming interest on delayed payments of retrial dues.

5. In view of the above circumstances, the OA is allowed, directing the respondents to pay interest on the delayed payments as per rules from August 2003 till the date of actual payment made after deducting payment, if any, made towards interest within a period of three months from the date of the receipt of the certified copy of this order. No order as to costs.

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(M. KANTHAIYAH)
MEMBER (J)

09.01.2008