

CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH : PATNA

O.A.No.410 of 1996

Hari Narayan Choudhary, son of Late Sri Ram Das Choudhary,  
Resident of Village- Masaurhi, Police Station-Masaurhi,  
District-Patna. ... Applicant.

- Vrs.-

The Union of India & Ors. ... Respondents.

Counsel for the applicant : Shri R.P.Choudhary.

Counsel for the respondents : Shri H.P.Singh, ASC for Respondent no.1 to 3.

C O R A M

Hon'ble Shri Sarveshwar Jha, Member (Administrative)

42/19.2.2002

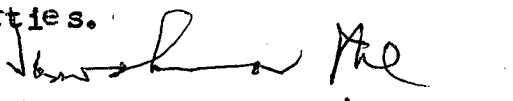
O R D E R (Dictated in Open court )

By Sarveshwar Jha, Member (Admn.) :-

The O.A. relates to request of the applicant, namely, Hari Narayan Choudhary, who was an employee of Central Excise and Customs, Department of Govt. of India at the Collectorate of Central Excise and Customs, Patna for payment of pension for the period from May 1991 to September 1994, and pension for the month of January 1996. The applicant has also requested for payment of 18% interest on the dues of pension for the period till the date of actual payment of the amounts involved. On perusal of the details submitted in the O.A., and also on hearing the learned counsel for the applicant, it appears that the pension for the period in question got stopped because of non submission of life certificate by the pensioner, which is required to be submitted in every November. It appears that the petitioner was not aware of this requirement and as a result he was defaulted in submitting the requisite life certificate. It was only in December, 1994 that he submitted the life

certificate. On hearing the learned counsel for the respondents no.1 to 3, it appears that these respondents took time in reviving/regularising the release of pension for the period in question after they got the necessary papers including the requisite life certificate submitted by the applicant, which was referred to them by the authorities concerned including the banks (Respondent No.4 to 6). It has been submitted by the learned counsel for the parties that the payment of pension for the period in question has since been made to the applicant, and, now he has grievance only for interest @18% having not been paid to him. While the learned counsel for the applicant was not very clear, when the other requisite papers like non-employment certificate etc. were submitted by the applicant and also that there is no paper or information available on the records nor in the submissions as to show that there was deliberate delay on the part of the respondents, it would be difficult to conclude that delay in reviving the pension and making payment of the arrears of pension for the period in question was deliberately caused by the respondents. It appears from the submissions that as a result of non submission of life certificate as well as other requisite papers on time, the pension of the period in question got stopped and after these papers were submitted, revival and release of pension of this period took its own time and in the process got delayed.

2. I, therefore, see no reason why and how any individual respondents could be held responsible for this delay. Now that the payment of pension for the period in question has been <sup>made</sup> paid, I would observe that the matter stands settled. The case <sup>therefore</sup> stands disposed of. I do not pass any orders as to costs to the parties.

  
( Sarveshwar Jha )  
Member (Admn. )