

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH : PATNA

Date of Order:- 21.2.2007

Registration No.369 of 2006

C O R A M

Hon'ble Km Sadhna Srivastava, Member (J)

K.P. Verma ..Applicant

-By Shri M.P.Dixit, Advocate

Versus

The Union of India & Others ..Respondents

-By Shri A.Pandey, Advocate

O R D E R

Km Sadhna Srivastava, Member (J):- The applicant, who retired while serving as Assistant Director (Mech.), Small Industries Service Institute (In short SISI) on 31.3.2006 has raised a grievance about the non-payment of amount of Group Insurance and Leave Encashment.

2. During the pendency of this Original Application, the Director of the Institute vide orders dated 24.7.2006 and 1.8.2006 sanctioned the payment due to the applicant with a request to the Accounts Officer, Small Scale Industries, Calcutta to make ^{the} payment by Bank Draft. The Director of the Institute has further informed this Tribunal by means of supplementary reply dated 1st December, 2006 that the demand draft for Rs. 42,232/- due on account of Group Insurance has been paid to the applicant on 14.8.2006. As regards the draft for leave encashment the same was returned undelivered. However, it was sent again and received by the applicant on 10.10.2006.

3. Keeping in view the above facts it is not possible , in my opinion, to



say that the respondents were slack. They may not have been very prompt yet, they were not negligent. Therefore, no case is made out for payment of interest on the delay of a few days (less than a month). However, the applicant has raised a grievance by means of rejoinder filed on 6.2.2007 to the effect that he was entitled to leave encashment of 257 days and payment has been made for 238 days. This matter has to be looked into by the respondent No.3 (the Director of the Institute).

4. This OA is disposed of with a direction to the Director of the Institute (Respondent No.3) to dispose of the representation of the applicant filed with the rejoinder and pass a speaking and reasoned order to the quantum of unutilised leave at the time of retirement of the applicant and also arrange payment, if any, due to the applicant within three months from the date of receipt of a copy of this order. The applicant shall be provided an opportunity before disposal of the representation. There shall be no order as to costs.


(Sadhna Srivastava)
Member (J)

skS