

(12)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 29/89

Transferred Application No:

DATE OF DECISION 24-8-93

Shri P.R.Govindan Petitioner

Shri Y.R.Singh Advocate for the Petitioners

Versus

Union of India Through Respondent
Secretary Ministry of Water
Resources New Delhi & Ors.

Shri V.S.Masurkar Advocate for the Respondent(s)

CORAM:

The Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman

The Hon'ble ~~xxx~~ Ms. Usha Savara, Member(A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

Usha Savara
(Ms.Usha Savara)
Member(A)

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(13)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A. 29/89

Shri P.R.Govindan ..

Applicant

vs

Union of India
Through Secretary
Ministry of Water
Resources, Govt. of India
New Delhi-110001 & Ors.

.. Respondents.

Coram: Hon'ble Mr.Justice M.S.Deshpande, Vice-Chairman
Hon'ble Ms.Usha Savara, Member(A)

Appearance:

Shri Y.R.Singh
for the applicant

Shri V.S.Masurkar
for the respondents.

Judgement
(Per: Ms.Usha Savara, Member(A))

Dated: 24-8-93

The application has been filed against non-payment of certain amounts due to the applicant. Reply has been filed by the respondents. Admittedly, the applicant who was working as Assistant Research Officer with the Central Water Commission at Pune retired on 31-12-1981. For the last 2 years of his service, he had been on deputation with National Power Construction Corporation Ltd in Iraq.

Most of the reliefs prayed for pertain to the period between 12.12.79 and 31.12.81 and are already bared by limitation. Shri Y.R.Singh, learned counsel for the applicant had nothing to say on the question of delay. The only prayer of the applicant, which falls within limitation is a direction to the respondents to pay G.P.F. amount alongwith interest at the market rate till the date of payment. In Para 12 of the reply filed by the respondents, it is stated that G.P.F. amounting to Rs. 28230/- was paid to the applicant under PAO's letter dated 3.10.'87 with interest

calculated upto June '82 in accordance with Rule 11(4) of G.P.F.(CS) Rules, 1960. However, it is the applicant's case that the respondents only paid the G.P.F. after his representation to the President. In any case, Shri Singh submits that ~~he~~ is entitled to receive interest on the G.P.F. amount upto the date of settlement of account.

In view of the fact that there was inordinate delay in paying the G.P.F. amount to the applicant for which he was not to blame, we feel that the respondents should compensate him for the delay by paying of him interest at the market rate till the date of payment. The respondents are, therefore, directed to pay interest at the rate of 12% for the period from 1/7/82 to September 1987 within a period of 2 months from the date of receipt of a copy of this order. There will be no order as to costs.

U. Savara
24.8.93
(Ms.Usha Savara)
Member(A)

D
(M.S.Deshpande)
Vice-Chairman