

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**MUMBAI BENCH MUMBAI**

**ORIGINAL APPLICATION NO:60/2001**

**DATE OF DECISION: 26.11.2001**

Shri J.N. Singh

Applicant.

Shri Suresh Kumar

Advocate for  
Applicant.

**Verses**

Union of India and others

Respondents.

Shri Bhosle for Shri M.I. Sethna

Advocate for  
Respondents

**CORAM**

Hon'ble Shri S.L.Jain, Member(J)

(1) To be referred to the Reporter or not? No

(2) Whether it needs to be circulated to No  
other Benches of the Tribunal?

(3) Library. No

*S.L.Jain*  
(S.L.Jain)  
Member(J)

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CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION NO:60/2001

MONDAY the 26th day of NOVEMBER 2001

CORAM: Hon'ble Shri S.L. Jain, Member (J)

J.N. Singh  
Residing at  
Sector II, B-II/302,  
Shanti Nagar,  
Mira Road(E) Thane.

...Applicant.

By Advocate Shri Suresh Kumar.

V/s

1. Union of India represented by  
Secretary to Government  
Ministry of Finance  
Department of Revenue  
New Delhi.
2. Deputy Commissioner of  
Custom (Preventive)  
Marine and Preventive  
Killa Bunder,  
Bassein Division, Dist.Thane.
3. Pay and Accounts Officer,  
Office of the Pay & Accounts Officer  
Central Excise Mumbai - 11  
Ministry of Finance / Dept. of Revenue  
8th floor Piramal Chambers  
Jijibhoy Lane,  
Lalbaug Parel, Mumbai. ....Respondents

By Advocate Shri Bhosle for Shri M.I. Sethna.

ORDER (ORAL)

{Per S.L.Jain, Member (J)}

This is an application under Section 19 of the Administrative Tribunals Act 1985 for a declaration that the entire service rendered by the applicant from 10.2.1975 to 31.12.2000 in preventive and Marine Department of Custom is liable to be counted for fixing the pensionary benefits of the applicant, direction to the respondents to pay pensionary

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benefits to the applicant as per annexure A -3 by taking into consideration the entire service of 25 years and 10 months put in by the applicant preventive and Marine department of Custom, to disburse Rs. 99,638/- with interest thereon at the rate of 18% per annum from 31.12.2000 till the date of payment, to pay pension at the rate of 1847/- per month and to pay arrears till the date with interest at the rate of 18% per annum from the respective dates of default, all other pensionary benefits with interest thereon at the rate of 18% per annum from the respective dates of default till the date of payment and to regularise the pensionary benefits as per Annexure A- 3 alongwith costs.

2. The learned counsel for the applicant states that the respondents have sanctioned provisional Pension of Rs. 2130/- as per annexure A - 1, After filing of the OA the respondents have considered his grievance and revised the pension of the applicant to Rs. 3077/- in view of the order dated 21.6.2001. He further stated that the respondents have taken further action inview of order No. PAO/CEX/MUM-II/PEN/JNS/12-2000/518 dated 8.6.2001. The learned counsel for the applicant states that he has received the retiral benefits but only the question of interest remains to be decided.

3. The applicant has retired on 31.12.2000. He is entitled to retiral benefits within three months from the date of his retirement. As such the delay on the part of the respondents in payment of retiral dues beyond three months, the applicant is entitled to interest at 12% per annum on retiral benefits

including pension. The respondents are directed to calculate the amount of interest at the rate of 12% per annum from 1.4.2001 on retiral benefits, regarding arrears of pension on the date on which it becomes due with effect from 1.4.2001 and every month on 1st day, and pay the same to the applicant within a period of two months. No order as to costs.

S.L.Jain  
(S.L.Jain)  
Member(J)

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