

(4)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
New Bombay Bench
CIRCUIT SITTING AT NAGPUR

O.A.595/90

Smt. Panchafhulabai,
Wd/o Jago Shamlal,
C/o Vijaya Kumar Ubnare,
In front of Rly. Station,
Tapti Ward,
Multai, Dist. Baitul.

.. Applicant

vs.

1. Union of India
through
General Manager
Central Railway,
Bombay V.T.
2. The Divisional Rly. Manager,
Central Railway,
King's Way,
Nagpur. .. Respondents

Coram: Hon'ble Shri Justice U.C.Srivastava,
Vice-Chairman

Hon'ble Shri P.S.Chaudhuri,
Member(A)

Appearances:

1. Mr.Y.S.Yawalkar
Advocate for the
Applicant.
2. Mr.P.S.Lambat
Advocate for the
Respondents.

ORAL JUDGMENT: Date: 10-7-1991
(Per U.C.Srivastava, Vice-Chairman)

The applicant who is the widow of late Jago Shamlal, Ex-Gangman, Kalmeshwar who died in fatal accident on 8-1-1986 at an age of 29 years had approached the Tribunal for claiming the arrears of pension, amount of gratuity and railway insurance and interest thereon on the same. Earlier she approached the Labour Court thereafter she has come before the Tribunal. Subsequently arrears of pension and gratuity has been paid to her and it has been pointed out that as he was only a casual labour he was not entitled to railway insurance as he has not contributed to the Railway Insurance scheme.

2. So far as the interest is concerned the application is opposed by the respondents even though the amount was paid to her after three years. There appears to be no explanation as to why the payment was delayed and there was failure on the part of the railway administration to perform their duty when a person in their service has died in accident while he was on duty. It is a fit case in which interest should have been awarded by the railway administration as there is a failure on their part to do so. Things have been done so negligently and carelessly that the payment was made to her after three years. The person died on 8.1.1986. Accordingly we direct the respondents that with effect from from 1st April, 1986 till the date of payment the respondents shall pay interest on the entire amount @ 12% p.a. This interest shall be paid by the respondents within a period of two months from the date of communication of this order.



(P.S.CHAUDHURI)
Member(A)



(U.C.SRIVASTAVA)
Vice-Chairman