

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 1008/93.

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DATE OF DECISION: AUGUST 24, 1994.

Shri M. R. Kulkarni, Petitioner

None Advocate for the Petitioners

Versus

Union Of India & Others, Respondent

Shri J. G. Sawant, Advocate for the Respondent(s)

CORAM :

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

~~The Hon'ble Shri~~

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1. To be referred to the Reporter or not ? *~*
2. Whether it needs to be circulated to other Benches of the Tribunal ? *~*

M. S. DESHPANDE
(M. S. DESHPANDE)
VICE-CHAIRMAN.

OS*

(b)

BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

O.A. NO.: 1008/93

Shri M. R. Kulkarni ... Applicant

Versus

Union Of India & Others ... Respondents.

CORAM :

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

APPEARANCE :

1. Shri J. G. Sawant,
Counsel for the respondents.

ORAL JUDGEMENT

DATED : AUGUST 24, 1994.

¶ Per. Shri M. S. Deshpande, Vice-Chairman ¶.

1. By this application, the applicant seeks interest @ 10% to 13% on account of delayed payment of the retiral benefits and leave salary. The applicant was absent when the matter was heard and Shri J. G. Sawant, Learned Counsel for the respondents ^{alone} was heard.

2. The applicant had given a notice of voluntary retirement on 11.05.1990 and he retired with effect from 09.08.1990. As per the statement given by the respondents, the total dues aggregated to Rs. 1,20,106.00 but certain amounts were to be recovered from the applicant, namely Rs. 3,100/- towards Railway Employees Liberalised Health Scheme, Rs. 2000/- towards Future debit (Elect. bill)

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Rs. 20,000/- towards Future debit (Accounts Inspection Report) and Rs. 2,800/- towards Future debit (Accounts Inspection Report). After deducting the amount of Rs. 27,900/- from the total amount due to the applicant, he was paid Rs. 92,206/- on 09.08.1990. No interest is therefore payable on this amount because the payment was promptly made. Out of the withheld amount aggregating to Rs. 27,900/-, Rs. 20,000/- was withheld on account of Accounts Inspection Reports and the cheque for the balance amount was sent on 26.12.1991 but it could not be delivered, as the address furnished by the applicant was incomplete and the amount was returned to the sender.

3. It is therefore clear that the delay was only in respect of Rs. 27,900/- and the applicant will be entitled to interest @ 7% per annum on this amount under the circular issued under Railway Pension Rules. Interest allowed is 7% per annum after the period of three months upto the expiry of one year. This would mean that the applicant will be entitled to interest @ 7% per annum on Rs. 27,900/- from 09.11.1990 to 26.12.1991.

4. In the result, I direct the respondents to pay interest @ 7% per annum on Rs. 27,900/- from 09.11.1990 to 26.12.1991 within two months from the date of communication of this order.

(M. S. DESHPANDE)
VICE-CHAIRMAN.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH, BOMBAY.

Review Petition No.122/94

in

Original Application No.1008/93.

M.R.Kulkarni.

.... Applicant.

V/s.

Union of India & Ors.

.... Respondents.

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

ORDER ON REVIEW PETITION BY CIRCULATION

(Per Shri M.S.Deshpande, Vice-Chairman) Dt. 20.10.1994.

By the present application the applicant seeks a review of the order passed on 24.8.1994 in OA No.1008/93 by which interest was allowed at 7% only on Rs.27,900/-. The applicant was absent when the Original Application was heard. The applicant by the review application seeks payment of interest at an higher rate i.e. at 13% and Rs.3,100/- remained ^{wa} to be unpaid. The entire controversy was considered and I see no ground made out for reviewing the order already passed. The Review Application is therefore rejected.


(M.S.DESHPANDE)
VICE-CHAIRMAN

B.

RP No. 122/94

by Circulation

Yell
10/10

20/10/94

order/Judgement despatched
to Applicant/Respondent(s)
on 20/10/94

