

(4)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH.

Original Application No. 7/93

~~*****Application No.~~

Date of decision 7.10.1993

Shri Vishnu B. Deokar Petitioner

Shri C.S.Thakore Advocate for the Petitioner

Versus

Union of India & Ors. Respondent

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

Coram :

The Hon'ble ~~Shri~~ Mrs. Lakshmi Swaminathan, Member (J)

The Hon'ble Shri

1. Whether the Reporters of local papers may be allowed to see the Judgement ? Yes
2. To be referred to the Reporter or not ? No
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 ? No

Lakshmi Swaminathan
(LAKSHMI SWAMINATHAN)
MEMBER (J)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

(5)

OA.NO. 7/93

Shri Vishnu B. Deokar

... Applicant

V/S.

Union of India & Ors.

... Respondents

CORAM : Hon'ble Member (J) Mrs. Lakshmi Swaminathan

Appearance

Shri C.S.Thakore
Advocate
for the Applicant

Shri V.S.Masurkar
Advocate
for the Respondents

ORAL JUDGEMENT

Dated: 7.10.1993

(PER: Lakshmi Swaminathan, Member (J))

Heard the learned counsels for the parties.

Learned counsel for the respondents has filed a Sur-rejoinder today with a copy to the applicant.

2. The claim of the applicant in this case is for payment of 12% interest on delayed payment of his pensionary amounts. On perusal of the application, reply and the Annexures thereto, it is clear that even prior to the filing of the application in this Tribunal, the respondents have been in correspondence with the applicant requesting him to come to the office on any working day for completion of the formalities/ collection of his Terminal dues. In spite of several letters, it appears that the applicant had not acceded to this request. Further, on perusal of the record no where has it been made out that the respondents



have either deliberately or intentionally delayed the payments due to the applicant. Therefore, it appears on the facts of this case that the applicant has himself delayed the receipt of the payments. It is also an admitted fact that the applicant had not approached Respondents No. 3 & 4 in respect of the payments at any time. All this goes to show that the applicant has himself contributed to the delay, if any, in the receipt of his pensionary dues.

3. In the facts and circumstances of the case, therefore, I see no merit in the application. The application is dismissed. There will be no order as to costs.

Lakshmi Swaminathan
(LAKSHMI SWAMINATHAN)
MEMBER (J)

mrj.