

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 557 of 94

Transfer Application No: _____

DATE OF DECISION: 1.12.1994

A.P. Prabhu

Petitioner

Mr. V G Pasthe

Advocate for the Petitioner

Versus

U.O.I. & Ors.

Respondent

Mr. S.C. Dhawan

Advocate for the Respondent(s)

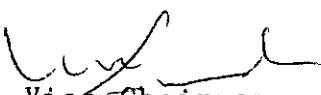
CORAM :

The Hon'ble Shri

Justice M.S. Deshpande, Vice Chairman

The Hon'ble Shri

1. To be referred to the Reporter or not ? NO
2. Whether it needs to be circulated to other Benches of the Tribunal ? NO


Vice Chairman

(4)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6
PRESCOT ROAD, BOMBAY-1

O.A. NO. 557/94

A.P. Prabhu

..Applicant

v/s.

Union of India & Ors.

..Respondents

Coram: Hon. Shri Justice M.S.Deshpande, V.C.

Appearance:

Mr. V G Pasthe
counsel for the applicant

MR. S.C. Dhawan
counsel for the respondents

ORAL JUDGMENT:

(Per: M.S.Deshpande, Vice Chairman)

DATED: 1.12.1994

The only question which arises in the present case is about the payment of interest on the unpaid amount of DCRG to the applicant who was in Railway service and retired on superannuation on 30.11.1987 and was Asstt. re-employed as/Station Master on 19.3.1988 and worked upto 9.3.1989 in that post. The railway quarter which he was occupying was vacated on 26.6.1990. The amount of house rent which would have been chargeable was Rs. 12,944.20 and this has been mentioned in the letter that the respondents sent to the applicant on 24.12.91, Annexure C. The balance which remained to be paid to the applicant was Rs. 30,613.30 and it was paid on 1.2.92. The applicant claims interest on the amount of DCRG which was withheld.

2. The respondents did not file any reply. It is obvious that the applicant ^{did} ~~does~~ not raise any dispute regarding the house rent which was deducted nor he is claiming any interest on that amount. The

only amount on which the interest is being claimed is the balance amount of Rs.30,613.30 which obviously could not have been withheld by the respondents. The applicant would, therefore, be entitled for interest on Rs.30,613.30 after excluding the period of first three months for which no interest would be charged. The applicant would be entitled to interest on the balance amount of Rs.30,613.30 @ 7 per cent for the period of 9 months and thereafter @ 10 per cent until the payment which was made on 1.2.1992. The respondents are directed to work out the interest and pay the amount due within three months from the date of communication of this order. No order as to costs.


(M.S.Deshpande)
Vice Chairman