

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIFUR BENCH, JAIPUR.

O.A.No.227/93

Dt. of order: 18.7.94

Durga Prasad Sharma : Applicant

vs.

Union of India & Ors. : Respondents

Mr. M.L. Pareek : Counsel for the applicant

Mr. U.D. Sharma : Counsel for respondents

CORAM:

Hon'ble Mr. Justice D.L. Mehta, Vice Chairman

Hon'ble Mr. O.P. Sharma, Member(Adm.)

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.

Heard the learned counsel for the parties and have perused the records. As far as the main prayer is concerned the applicant has been paid PLI amount. The remaining amount Rs.5,775/- as incentive bonus has been paid vide letter dated 7.7.94. The applicant has claimed 12% interest on the remaining amount Rs.5,775/- on the ground that this payment should have been made to him on 16.9.93 i.e. the date of the issue of sanction for the payment. It is a delayed payment. The learned counsel for the respondents submits that it is a reasonable delay as they have to enquire into the matter. Once the amount has been sanctioned there cannot be a question of delay. Apart from that in this welfare State to sit over the papers for a period of about 24 months cannot be said to be a reasonable period. Officers and staff should be accountable to the Society and they cannot be shirk their responsibility in this way. It has become the solemn duty of the Court to see that the accountability is ~~delayed~~ ^{shown} by the officers of the State and the method has been evolved by the Court now consistently that the damages should be paid to the person who has suffered and should be recovered from the officer or a group of officers of the State who were negligent in their discharge of their duties.

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2. We direct the respondents to fix the responsibility of the negligent officer on whose cause the payment could not be paid immediately after the sanction and it took 24 months to make the payment. The applicant shall be paid 12% interest on the amount of Rs.5,775/- and the amount of interest which is to be paid by the respondents shall be recovered from the officers who are found responsible for the negligent act, ^{after due inquiry}. The payment of interest should be made within a period of 2 months from the date of the receipt of a copy of this order. The O.A. is allowed with no order as to costs.

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(O.P. Sharma)
Member (A).


(D.L. Mehta)
Vice Chairman.