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CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No.259 of 2000

Jabalpur, this the 31st day of January, 2003.

Hon'ble Mr.R.K.Upadhyaya- Member(Adminv.)

Francis F. Cecil, aged about 63
years, S/o late Shri F.S.Cecil,
R/o G-3, Akansha Apartments,
Ahmedabad Palace Road, Kohefiza,
Bhopal, M.P.

-APPLICANT

(By Advocate- Mr.S.Nagu)

Versus

1. Union of India through
the Secretary, Ministry of Defence,
South Block, New Delhi.
2. Director General of Military
Farms, Army Headquarters,
West Block-III, R.K.Puram,
New Delhi.
3. Director, Military Farms,
Headquarters, Central Command,
Lucknow (UP)
4. Area Accounts Officer,
Controller of Defence Accounts,
Draupadi Ghat, Allahabad (UP)
5. Officer-in-Charge,
Military Farms, Subedar Ganj,
Allahabad (UP)

-RESPONDENTS

(By Advocate- Mr.S.A.Dharmadhikari)

O R D E R (ORAL)

This application has been filed seeking
direction for payment of certain retiral dues including
interest.

2. The applicant retired on 31.3.1997 on
superannuation from the post of Senior Supervisor,
Military Farms, Allahabad. It is claimed that his
retiral dues including leave encashment, CGEIS,
retirement TA/DA and GPF balance were not paid on time.
3. The respondents in their reply have stated
that the payments to the applicant have been made.
Some of the payments were made before filing of this
application and other payments were made during the

4. After hearing the learned counsel of both the parties, it is noticed that the principal amount of the claims made by the applicant in this O.A. has been made except a part of TA/DA claim on retirement, which is also agreed to be paid by the respondents. The learned counsel of the respondents stated that the payment of even such amount might have been paid by now as can be seen from letter addressed to the applicant on 7.11.2001 (copy placed on record).

4.1 If retiral dues are not paid on time, the retiring Government servant is entitled to payment of interest in case delay is not attributable to him. Nothing has been brought on record to suggest that delay in this case was on account of non-co-operation of the Government servant. Therefore, the respondents are directed to pay interest with effect from 1.7.1997 to the applicant at the rate of 6 (six) per cent on the amount of retiral dues which have been paid late. This payment should be made within a period of three months from the date of receipt of a copy of this order.

5. Subject to the direction in the preceding paragraph, this application is partly allowed without any order as to costs.

(Signature)
(R.K. Upadhyaya)
Member (Adminv.)

rkv.

कृतांकन से ओ/न्या..... जयलपुर, दि.....
प्रतिनिधि नाम लिखत :-

- (1) सचिव, जयलपुर न्यायाधीश न्यायालय, जयलपुर
 - (2) जयलपुर न्यायाधीश न्यायालय, जयलपुर
 - (3) जयलपुर न्यायाधीश न्यायालय, जयलपुर
 - (4) जयलपुर न्यायाधीश न्यायालय, जयलपुर
- S. Nigam Pillai*
S. A. L. Namachikari
(Signature)
उप निदेश 5/10/03

Issued
on 5.2.03
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