

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH

Jaipur, this the 18th day of August, 2011

OA No.415/2009

CORAM:

HON'BLE MR. JUSTICE K.S.RATHORE, MEMBER (JUDL.)

Raj Rishi Gurjar
s/o Shri Mula Ram,
r/o village and post Paota,
Tehsil Mahwa,
District Dausa, retired from
the post of Manager,
Postal Stock Depot (HSG-I),
Jaipur

.. Applicant

(By Advocate : Shri C.B.Sharma)

Versus

1. Union of India
through its Secretary to the Government of India,
Department of Posts,
Ministry of Communication and
Information Technology,
Dak Bahwan, Sansad Marg, Delhi.
2. Principal Chief Post Master General,
Rajasthan Circle,
Jaipur
3. Superintendent of Postal Stock Dept.,
Bari House,
Hasanpura,
Jaipur

.....Respondents

(By Advocate : Shri Gaurav Jain)

O R D E R (ORAL)

By way of this OA, the applicant claims relief of interest on delayed payment of retiral benefits. As per the applicant, under different heads payment has been made to the applicant after a delay of 10 months as the applicant retired on attaining the age of superannuation on 31.08.2008 whereas payment of Pension, Commutation, Gratuity, Leave Encashment, Insurance, GPF etc. has been made on 30.6.2009, 23.6.2009, 23.6.2009, 26.6.2009, 26.8.2009 and 7.11.2008 respectively.

2. The respondents have strongly controverted and submitted that the applicant himself delayed in fulfilling the requisite requirement and referred to Ann.R/1 to R/31 and stated that each and every letter which has been annexed with the reply is self explanatory.

3. Upon perusal of the reply submitted on behalf of the respondents and annexure submitted by the respondents as well as the general instructions regarding payment of retiral benefits as stipulated under General Principles and Rules and as per the settled proposition of law, the applicant is only entitled to get the interest on delayed payment if the respondents are held responsible for deliberate delay in disbursing the retiral benefits wherein in the instant case, since as per Rule 58 and 59 of CCS (Pension) Rules, there are stages



for completion of pension papers and the applicant is himself responsible for non-completion of his service book and pension case timely being a Postmaster Drawing and Disbursing Office. After having gone through the rules regarding payment of retiral dues, it reveals that no deliberate delay has been caused by the respondents regarding disbursement of retiral benefits.

4. In view of the facts as mentioned hereinabove and in view of the settled proposition of law, in my considered view, the applicant is not entitled to claim interest on delayed payment of retiral dues. Consequently, the OA being devoid of merit is dismissed with no order as to costs.


(JUSTICE K.S.RATHORE)
Judl. Member

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