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**CENTRAL ADMINISTRATIVE TRIBUNAL,
CHANDIGARH BENCH,
CHANDIGARH.**

O.A.No.060/00568/2014

Date of Decision : 27.8.2015
Reserved on: 25.08.2015

**CORAM: HON'BLE MRS. RAJWANT SANDHU, ADMINISTRATIVE MEMBER
HON'BLE DR. BRAHM A. AGRAWAL, JUDICIAL MEMBER**

Harmesh Pal Singh, aged 62 years, son of S. Sarwan Singh, resident of House No.16, Krishna Colony, Malwal Road, Near Plaza Marriage Place, Ferozepur City.

Applicant

Versus

1. Union of India through Chairman, Railway Board, Rail Bhawan, New Delhi.
2. General Manager, Northern Railway, Baroda House, New Delhi.
3. Divisional Railway Manager, Northern Railway, Ferozepur Cantt.
4. Senior Divisional Personnel officer, Northern Railway, Ferozepur Cantt.

Respondents

Present: Mr. N.S. Bains, counsel for the applicant
Ms. Jyoti Chaudhary, counsel for the respondents

ORDER
HON'BLE MRS. RAJWANT SANDHU, MEMBER (A)

1. This Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985, seeking direction to the respondent Department to release the retiral benefits / settlement dues of the applicant along with interest @ 12% per annum w.e.f. 30.09.2012 till date of realization of payment.

2. Averment has been made in the OA that the applicant retired as senior Clerk from the respondent Department on 30.09.2012 but till date the



pensionary benefits had not been released although these were due to be paid on the date of retirement of the applicant i.e. 30.09.2012.

3. In the short reply filed on behalf of the respondents, it has been stated as follows:-

- "a) PF Rs.84065 vide A.B.No.PF/45/F dated 24.10.2012.
- b) GIS Rs.38178 vide A.B.No.13 A.E. dated 04.10.2012.
- c) LE Rs.246180 vide A.B.No.250-C, dated 16.09.2014.
- d) CTG Rs.14920 vide A.B.No.287-C, dated 12.12.2013
- e) Pension Rs.7460 + Relief."

It has also been stated that the case of releasing payment of DCRG and Commutation of Pension amounting to Rs.4,17,014 and Rs.2,93,411 has been sent to the competent authority and the claim of the applicant will be settled in totality very soon.

4. In the rejoinder filed on behalf of the applicant on 29.05.2015, it has been stated as follows:-

- "a) Provident Fund has been paid.
- b) GIS has been paid after retirement.
- c) Leave Encashment of Rs.2,46,180 paid after two years from the date of retirement, unreasonable delay without the fault of the applicant.
- d) CTG of Rs.14920 paid after one year from the date of retirement.
- e) Provisional Pension is being paid."

Besides, an amount of Rs.4,17,014 of DCRG and Rs.2,93,411 of Commutation of Pension (Total amount of Rs.4,17,014 + Rs.2,93,411 = Rs.7,10,425) has not

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been paid to the applicant till date although two years and eight months have elapsed since retirement.

5. Learned counsel for the parties have been heard in the matter, when they reiterated the content of the OA, rejoinder and short reply respectively.

6. We have given our careful consideration to the matter. In the short reply filed on behalf of the respondents, no reason whatsoever has been mentioned for the delayed release of the retiral benefits due to be paid to the applicant. Since it is clear that there has been considerable delay in the release of leave encashment amount, CTG and payment of DCRG and Commutation of Pension are still pending, the respondents are directed to pay interest @ 9% per annum to the applicant from 01.01.2013 till date of the actual release of these amounts to the applicant. Action in this regard may be completed within six weeks from the date of receipt of a certified copy of this order being served upon the respondents.

7. No costs.


(RAJWANT SANDHU)
ADMINISTRATIVE MEMBER.


(DR. BRAHM A. AGRAWAL)
JUDICIAL MEMBER

Place: Chandigarh
Dated: 27.8.2015.

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