

Central Administrative Tribunal
Principal Bench, New Delhi.

CP-330/2015
in
OA-3012/2013

New Delhi this the 27th day of January, 2016.

Hon'ble Mr. A.K. Bhardwaj, Member (J)
Hon'ble Mr. Shekhar Agarwal, Member (A)

Gir Raj, (Aged about 65 years),
S/o late (Sh.) Baldev,
Retd. Masoon Khallasi Group 'D',
From the office of Sr. Section Engineer/
Northern Railway.
R/o House No. DC-162,
Mohan Nagar, Palwal (Haryana).

...

Petitioner

Versus

1. Sh. D.K. Putia (G.M),
Union of India,
Through the General Manager,
Northern Railway,
Baroda House, New Delhi.

2. Sh. Prdeep Kumar,
The Divisional Manager,
Northern Railway,
State Entry Road, C.P.,
New Delhi.

...

Respondents

(By advocate: Mr. Kripa Shankar Prasad)

Order (Oral)

Mr. A.K. Bhardwaj, Member (J)

The OA 3012/2013 was disposed of in terms of Order dated
28.01.2015. Para 5 of the Order reads thus:-

"5. In the above facts and circumstances of the case, I direct the respondents to immediately release the difference of arrears of pensionary benefits to the applicant with 9% interest. The respondents shall also give

a detailed due and drawn statement to the applicant explaining the difference of pension prepared by them. Further, they shall also release him the Fixed Medical Allowance of Rs.300/- p.m. as admitted by them with upto date arrears with 9% interest w.e.f 01.01.2013 as admittedly he applied for the same on 06.12.2012 and thereafter his case was sent to accounts officer. Further, the Respondents shall also issue the Railway pass to the Applicant as admitted by them. The respondents shall also file an affidavit of compliance of the aforesaid directions in this Tribunal within a period of one month from the date of receipt of a copy of this order. There shall be no order as to costs."

2. In implementation of the Order, respondents filed compliance report dated 08.10.2015 enclosing therewith the due and drawn statement (pages 20 to 22 of the paper book) in respect of the amount paid to the applicant, relevant excerpt of which reads thus:

"Calculation sheet for delayed Payment of interest on DCRG leave encashment & Pension for the period w.e.f 1.1.13 to 15.4.14 in favour of Sh. Girraj s/o Sh. Basdev, Khalasi under ---/P.Way/FDB Retd on 31.10.2008 as per Court order dated 4.2.15. passed in OA No. 3012/2013

Sr.No.	Nature of Amount Due & Paid	Amount Due on Date	Amount Paid on Date	Period Delayed Y M D	Rate of Interest allowed by court	Amount of Interest Payable now
1	DCRG Rs-29284	1.1.13	15.4.14	1.3.15	@9% P.A.	3404.26
2	Difference of LE Rs-355	1.1.13	15.4.14	1.3.15	@9% P.A.	41.26
3	Difference of Pension	1.1.13	15.4.14	1.3.15	@9% P.M.	As per sheet attached

3. When the applicant raised certain objections regarding calculation of the amount, the respondents were directed to file additional affidavit. In implementation of the direction given to them, they have filed additional affidavit on 17.12.2015 vide Diary

No. 10648 wherein they have given the factual backdrop of amount credited in the Bank. Para 3 and 4 of the affidavit reads thus:-

“ 3. That in implementation of the said order, it is submitted with due respect that the following payment towards interest and interest and revised pension arrears have been released and has been credited to the account of the applicant bearing no. 10801806903 with SBI Palwal Bank as per bank statement. A copy of the aforesaid letter dated 5.11.2015 issued by the respondents is annexed herewith and marked as Annexure CP-1 (colly).

4. It is further submitted that letter has also been written to the bank for the payment of fixed medical allowance with interest.”

4. In view of the aforementioned, we are satisfied that no disobedience of the Order passed by the Tribunal in OA 3012/2013 subsist. Accordingly, CP is dismissed. Notices issued to the respondents are discharged. No costs.

(Shekhar Agarwal)
Member (A)

(A.K. Bhardwaj)
Member (J)

/ns/