

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.950/2013

This the 5th October, 2016

Hon'ble Shri P.K. Basu, Member (A)

Shri Gurmail Singh, S/o Shri Gian Singh
Ex. Divisional Electric Engineer
Northern Railway, Baroda House, New Delhi
Presently residing at C-216, Rail Vihar
Sector 45, Faridabad.

..Applicant

(By Advocate: Shri H K Bajpayee for Ms. Meenu Mainee)

Versus

Union of India through:

1. Secretary, Ministry of Railways, Railway Board
Rail Bhawan, New Delhi.
2. General Manager, Northern Railway
Baroda House, New Delhi.
3. Divisional Railway Manager
Northern Railway, Moradabad .. Respondents

(By Advocate: Shri Ashok Kumar)

O R D E R (ORAL)

The arguing counsel for the applicant is not available even on third revised call. In fact, nobody had appeared on the last date fixed for hearing i.e. on 26.07.2016.

2. The OA has been filed mainly seeking the following relief:-

"(ii) Direct the respondents to pay compounded interest at the rate of 12% per annum from the date of retirement till the date of actual payment of gratuity after deducting the amount of interest which has already been paid to the applicant at simple interest of 8% per annum."

3. The applicant had retired from Railway service on 31.12.1994. He was facing a major penalty charge and a penalty of 20% cut in monthly pension for a period of three years was imposed upon him. However, this was quashed and set aside by this Tribunal vide order dated 02.09.2004. All dues were paid in time except gratuity which was paid only on 29.03.2012 including interest @ 8% per annum for the period of delay beyond three months. The applicant has sought 12% compound interest per annum from the date of retirement till the date of actual payment of gratuity instead of simple interest @ 8%, in accordance with Railway Service Pension Rules, 1993.

4. The applicant preferred her claim as per Railway Board's letter dated 21.01.2000 specifically following Rule 68 of CCS (Pension) Rules, 1972 and interest on delayed payment of gratuity. The instructions are that interest at the rate applicable to GPF deposit should be paid to the retiree/dependents of deceased Govt. servant.

5. Learned counsel for the respondents states that at the relevant time the rate of interest on GPF was 8%.

6. In view of the above, the OA lacks merit and is, therefore, dismissed. No costs.

**(P.K. Basu)
Member (A)**

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