

Central Administrative Tribunal Principal Bench, New Delhi

O.A. No.2535/2016

Monday, this the 5th day of February 2018

Hon'ble Mr. K.N. Shrivastava, Member (A)

Narvir Singh, age 61 years
Group C
s/o Shri Jawahar Singh
r/o H.No.484 Alipur, Delhi – 110 036

..Applicant

(Mr. J S Mann, Advocate)

Versus

1. The Commissioner (North DMC)
Dr. Shyma Prasad Mukherjee
Civic Center, Jawaharlal Nehru Marg
New Delhi – 110 002
2. The Deputy Chief Accountant (PF)
North DMC,
Dr. Shyma Prasad Mukherjee
Civic Center, Jawaharlal Nehru Marg
New Delhi – 110 002
3. Deputy Chief Accountant (North DMC)
Civil Line Zone
16 Rajpura Road, Delhi – 54

..Respondents

(Mr. D S Mahendru, Advocate)

O R D E R (ORAL)

Heard the learned counsel for the parties.

2. The applicant retired from the post of Malaria Inspector from the services of North Delhi Municipal Corporation (North DMC) on 30.11.2015. His grievance is that his retiral dues, namely, gratuity, GPF, commuted value of pension (CVP) and leave encashment were not released on the day of his retirement. It is further contended that these retiral dues have been

paid to the applicant much belatedly as per the details given in Annexure A-1 and hence, the applicant is entitled for receiving interest on these delayed payments. Learned counsel for applicant submitted that the respondents have not given the details of the interest paid and period of the interest payment in the GPF amount paid to him.

3. During the course of arguments, learned counsel for respondents drew my attention to the reply filed on behalf of respondents in which it is stated that a sum of ₹28,50,500/- has been paid to the applicant towards GPF dues, including the interest up to February 2016. He also mentioned about Annexure R-1, which is a pension authorization to Punjab National Bank for payment of regular pension to the applicant. From these two documents, it is quite clear that the claim of the applicant in regard to sanction of regular pension and release of GPF with interest has been settled. The reply filed on behalf of the respondents is silent with regard to payment of interest on the delayed release of other retiral dues, namely, gratuity, CVP and leave encashment.

4. Considering the fact that about 3 months' time is normally allowed for the authorities concerned to release the retiral dues, I am of the view that any delay occurred at the end of the respondents in releasing the retiral dues beyond 3 months, definitely attracts payment of interest. I, therefore, dispose of this O.A. with the following directions:-

- a) The respondents shall pay interest @8% p.a. on delayed release of gratuity, CVP and leave encashment, i.e., from February 2016 till the date of actual release, if not paid already.

- b) The respondents are directed to inform the applicant with regard to the component of interest and the period thereof included in the payment of ₹28,50,500/-towards GPF. In case the applicant is dissatisfied with the interest calculations, he shall have the liberty to file a representation to the respondents within two weeks of this order, which shall be disposed of by the respondents by passing a speaking order within four weeks thereafter
- c) Direction at (a) above shall be complied with within a period of three months from the date of receipt of a copy of this order.

No order as to costs.

(K. N. Shrivastava)
Member (A)

February 5, 2018
/sunil/