

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

OA No.1966/2016

This the 12th day of February, 2018

Hon'ble Shri K N Shrivastava, Member(A)

Satya Prakash Kaushik, aged 60 years
S/o Sh. Sadi Ram
Retired District Youth Coordinator(DYC)
Nehru Yuva Kendra Sangathan
R/o 703, Sector 10A, Gurgaon(Har.) ...Applicant

(By Advocate: Shri Yogesh Sharma)

Versus

1. Union of India
Through Secretary
Ministry of Youth Affairs & Sports
Govt. of India
New Delhi.
2. The Director General
Nehru Yuva Kendra Sangathan
IIInd Floor, Core-IV
Scope Minar, Laxmi Nagar
District Centre, Vikas Marg
Delhi-110092.Respondents

(By Advocate: Shri R. Ramachanderan)

ORDER (ORAL)

Through the medium of this OA, the applicant has prayed for the following main reliefs:-

“(i) That the Hon’ble Tribunal may graciously be pleased to pass an order directing the respondents to release the retirement benefits of the applicant i.e. regular pension, gratuity, Leave Encashment, insurance and commutation

of pension and all other retirement benefits immediately with 10% interest.

(ii) That the Hon'ble Tribunal may graciously be pleased to pass an order directing the respondents to grant the interest on the delayed payment of the GPF & PF amount from the date of retirement till the date of payment."

2. During the pendency of the OA, the respondents have granted relief No.1 i.e. all the retiral dues have been released to the applicant, details of which are as under:-

- (i) Provisional Gratuity – Rs.7,50,000/-
- (ii) Leave Encashment –Rs.8,94,170/-
- (iii) Pension Arrears – 3,96,556/- (from November, 2015 to July, 2016)
- (iv) Balance amount of Gratuity Rs.2,50,000/-
- (v) Group Insurance(SLGIS) – Rs.32,010/-

3. The applicant has acknowledged the receipt of the aforementioned retiral benefits. In the rejoinder, the applicant has given the dates of release of the above retiral benefits as under:-

Item	Date of payment
EPF	4.1.2016
NYKS GPF	31.3.2016
Part Gratuity Rs.7,50,000/-	13.7.2016
Leave Encashment Rs.8,94,170/-	12.7.2016
Commutation of Pension	27.7.2017
Pension	23.8.2016
Balance Gratuity Rs.2,50,000/-	23.8.2016

The applicant's prayer now is for grant of interest on the delayed payments.

3. Learned counsel for the respondents has submitted that the delay in release of the retiral benefits has accrued primarily on account of certain objections put forth by respondent No.1. In this behalf he drew my attention to Annexure R-1 which is letter dated 04.01.2016 from respondent No.1 to respondent No.2.

4. I have considered the arguments of learned counsel for the parties and also perused the pleadings. It is not in dispute that the applicant who retired on 31.10.2015 was entitled for getting his retiral dues on the date of retirement itself. These retiral dues have been released finally by respondent No.2 on different dates as mentioned in para 3 above. The delay for releasing the retiral dues, as argued by learned counsel for respondents No.2 as well as, as per the averments made in the reply filed on behalf of respondent No.2, is not convincing at all. The Annexure R-1 is an internal correspondence between the respondents. Whatever be the internal issues between the respondents, the applicant as well as similarly placed other employees of respondent No.2, cannot be put to any financial loss. Hence, I consider it appropriate to award interest @ 8% on all the delayed payments. The

interest shall be paid by respondent No.2 within a period of three months from the date of receipt of a copy of this order. OA is accordingly disposed of.

(K N Shrivastava)
Member(A)

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