

Central Administrative Tribunal  
Principal Bench  
New Delhi

O.A.No.4024/2013

M.A.No.71/2016

M.A.No.1552/2015

Order Reserved on: 26.04.2017

Order pronounced on 09.05.2017

Hon'ble Shri V. Ajay Kumar, Member (J)

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

D.S.Yadav

S/o Mohar Singh

R/o Village: Balour

P.O. Bahadurgarh

Dist: Jhajjar, Haryana.

...

Applicant

(By Advocate: Shri H.D.Sharma)

Versus

1. Union of India

Through Secretary

Ministry of Culture

New Delhi.

2. The Chairman

Lalit Kala Akademi

Rabindra Bhawan

35, Ferozeshah Road

New Delhi – 110 001.

3. The Secretary I/c

Lalit Kala Akademi

Rabindra Bhawan

35, Ferozeshah Road

New Delhi – 110 001.

4. Dy. Secretary (A&A) I/c  
Lalit Kala Akademi  
Rabindra Bhawan  
35, Ferozeshah Road  
New Delhi – 110 001.

5. Shri Mashoda Lal  
Inquiry Officer  
G-2417, Netaji Nagar  
New Delhi – 110 023.

6. Shri Jarnail Ram  
Presenting Officer  
RZ-Z6 P/A 60, Gali No.37  
Indra Park, Palam Road  
New Delhi – 110 045.

... Respondents

(By Advocate: Sh. R.K.Jain)

### **ORDER**

**By V. Ajay Kumar, Member (J):**

The applicant, filed the OA questioning the Charge Memorandum dated 29.04.2013. The applicant retired from service on 30.04.2013. He filed the OA on 14.11.2013. Thereafter, the respondents themselves withdrew the impugned Charge Memorandum and also released all the retiral dues to the applicant vide Order dated 17.08.2015. As a result, the main relief prayed for becomes infructuous, leaving only the relief for interest on the retiral benefits for the delayed period.

2. Heard Shri H.D.Sharma, the learned counsel for the applicant and Shri R.K.Jain, the learned counsel for the respondents, and perused the pleadings on record.

3. In normal circumstances, any abnormal delay in payment of the retiral benefits would entitle the employee for interest for the delayed period. However, in the present case, a charge memorandum was pending against the applicant as on the date of his retirement and the respondents themselves withdrew the same, and immediately thereafter paid the retiral benefits.

4. In the circumstances and in view of the payment of the retiral benefits by the respondents on withdrawing the charge memorandum, and that too within a reasonable period, we are not inclined to grant any interest on the retiral benefits. Accordingly, the OA is disposed of. All the pending MAs No.1552/2015 and MA 71/2016 also stand disposed of. No costs.

(K. N. Shrivastava)  
Member (A)

(V. Ajay Kumar)  
Member (J)

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