

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)

O R D E R

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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