

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

OA No. 3879/2018

New Delhi this the 11thOctober, 2018

Hon'ble Sh. Pradeep Kumar, Member (A)

Sh. Chhote,
Age 38
S/o Late Sh. Noor Mohd.
Designation :Khalasi
Group 'C'
Post Sweeper,
R/o C-160, Lal Kuan,
Delhi-110006 .. Applicant

(By Advocate :Sh. R K Shukla)

Versus

1. Union of India
Through the General Manager
NR Headquarter Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway,
Delhi Division,
Estate Entry Road,
New Delhi.
3. The Inspector of Works (Horticulture)
Hazarat Nizamuddin Rly Station,
New Delhi. ...Respondents

ORDER (ORAL)

1.0 In the instant case the applicant's mother had expired in the year 2007 while she was in the service of the respondent-Railway. The retiral dues have since been paid, except for an amount of Rs.

33,472/-, which could not be paid at that time. In respect of this amount, the applicant had approached the Tribunal in OA No. 1529/2009 wherein the following order was passed:-

"In view of above explanation, no case for contempt is made out. CP is accordingly dropped. Notices are discharged. However, liberty is given to the applicant to claim the amount after he gets the succession certificate."

2. Now the succession certificate has also since been issued by the Administrative Civil Judge, South East District, Saket Courts, New Delhi vide order dated 1.10.2014 with the following orders :-

"Details of debts and securities of deceased Late Kalicharan in favour of Sh. Chote, heir of deceased.

a) Amount lying with DRM Office, Northern Railways, Delhi having balance of Rs. 33,472/-

The entire interest accrued up to date, if any, on the aforesaid amount shall also be paid to Sh. Chote.

This Succession Certificate is accordingly granted to you and empower you to collect the aforesaid debts and securities. "

3. However, this amount has still not been released. The applicant also further pleaded in respect of this amount, that the applicant had approached the Tribunal earlier also OA No. 3217/2016 wherein judgment was passed on 22nd September, 2016.

The operative part of this judgment is as under :-

"4. In the circumstances, the OA is disposed of without going into the merits of the case by directing the respondents to consider the representation of the applicant and pass appropriate speaking and reasoned order thereon within 90 days from the date of receipt of a certified copy of this order, in accordance with law. No costs."

4. Therefore, the only limited point in the instant OA is the payment of interest on this account of Rs. 33,472/- for the delay. Certain other reliefs have also been sought as under :-

“(b) To direct the respondents to pay the delayed payment of differences of arrears of pay in respect of 6th CPC from the date of death till 02.02.2018 as difference of arrears was paid on 02.02.2018;

(c) To direct the respondents to provide calculation sheet regarding retiral dues and differences of 6th CPC implementation.

(d) To award the cost of proceedings.

(e) To direct the respondents to pay the interest on delayed payment of all retiral dues.

Any other relief which this Hon'ble Tribunal deem fit and proper may also be passed in the facts and circumstances of the case in favour of the applicants.”

5. Matter was heard. The O.A. is disposed off at admission stage itself, without going into the merits of the case, with a direction to the respondents to pass a speaking and reasoned order on all items of relief sought. In case, as a result of this examination, the respondents find that delay has happened in payment of this amount of Rs.33472/-, interest shall be paid at GPF rate of interest for entire period. This entire exercise shall be completed within eight weeks.

No order as to costs.

**(Pradeep Kumar)
Member (A)**

