

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

OA No.1679/2016

New Delhi this the 9<sup>th</sup> day of May, 2018

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

D.K. Bose  
Age about 63 years  
S/o Shri B.N. Bose,  
Retd. Superintendent of  
Customs and Central Excise,  
Presenting Residing at  
K-K-2099A, 2<sup>nd</sup> Floor, C.R. Park,  
New Delhi-110 019.

-Applicant

(By Advocate: Ms. Vidushi Shubham for  
Shri Piyush Kumar)

**Versus**

1. Union of India  
Through Secretary (Revenue)  
Ministry of Finance,  
Department of Revenue,  
North Block, New Delhi.
2. Commissioner  
Commissionerate of Central Excise-Delhi-1,  
C.R. Building, I.P. Estate,  
New Delhi-110 002.

-Respondents

(By Advocate: Shri Vidya Sagar for Shri H.K. Gangwani)

**ORDER (Oral)**

The applicant retired from the post of Superintendent in the Central Excise Department on 30.06.2012. Just 10 days before his

retirement, he was served with the Charge-Sheet dated 21.06.2012. Following the Charge Sheet, he was subjected to disciplinary enquiry proceedings ultimately culminating into his exoneration. The order dated 28.01.2015 to this effect was passed by Commissioner, Central Excise Commissionerate Delhi-I, New Delhi.

2. The grievance of the applicant is that his retiral benefits have been paid belatedly and, thus, he is entitled for receiving interest on the delayed payment. The details of the release of retiral benefits are given in the reply filed on behalf of respondents, which are as under:-

- “(i) G.P.F. final withdrawal was drawn vide Bill No. 93 dated 26.06.2012 and paid vide cheque No. 012323 dated 27.06.2012;
- (ii) Leave encashment was drawn vide Bill No. 70 dated 19.06.2014 and paid vide Cheque No. 125451 dated 8.7.2014;
- (iii) Arrears of revision of pay were drawn vide Bill No. 194 dated 18.11.2015 and E-payment thereof was made;
- (iv) Differential amount of leave encashment was drawn vide Bill No. 200 dated 3.12.2015 and E-payment thereof was made;
- (v) Gratuity was drawn vide Bill No. 18.11.2015 and E-Payment thereof was made;
- (vi) Arrears of differential amount of provisional pension was drawn vide Bill No. 222 dated 6.1.2016 and E-payment thereof was made;
- (vii) Payment of CGEIS payment was drawn vide Bill No.223 dated 6.1.2016 and E-payment thereof was made to the applicant”.

3. The Central Government has also issued OM No. 38/64/98-P&PW(F) dated 05.10.1999 wherein it is provided for payment of interest on the delayed payment of retiral benefits.

4. In the conspectus, I am of the view that the applicant is entitled for receiving interest at reasonable rate. I also take into consideration that in the normal course, it would have taken a maximum period of three months to crystallize various retiral claims of the applicant. Hence, I hold that the applicant is entitled for receiving interest for any delay that has occurred beyond three months of his retirement.

5. Accordingly, I allow this OA in the following terms:-

**Respondents are directed to pay interest @ 8% on the delayed release of various components of retiral benefits beyond a period of three months from the date of his retirement, i.e., w.e.f. 01.10.2012. This shall be done within a period of two months from the date of receipt of a copy of this order.**

6. No costs.

**(K.N. Shrivastava)**  
**Member (A)**

cc.