

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT SITTING : BILASPUR

Original Applications No.203/00998/2017 &
203/01000/2017

Bilaspur, this Friday, the 28th day of September, 2018

HON'BLE MR. NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

Ghurau Ram Yadav, S/o Late Shri Ganesh Ram Yadav, aged 66 years, Retired Postman, R/o Village – Chhati, PO – Chhatti Via – Kurud, Dist. Dhamtari (CG)

-Applicant in OA 203/00998/2017

B.G. Shendge, S/o Late Shri Ganpat Rao Shendge, aged 70 years, Retired Postman, Head Post Office, Raipur, R/o Kailashpuri, Raipur - 492001

-Applicant in OA 203/01000/2017

(By Advocate – Shri B.P. Rao)

V e r s u s

1. Union of India through the Secretary, Ministry of Communication & IT, Department of Post, Sanchar Bhawan, New Delhi – 110001.
2. The Sr. Supdt. of Post Offices, Raipur Division, Station Road, Raipur – 492001.
3. The Dy. Director of Accounts (Postal), Tikrapara, Raipur - 492001

-Common respondents

(By Advocate – Shri Vivek Verma)

C O M M O N O R D E R (R E A S O N E D)

By Navin Tandon, AM.

The issue involved in both the Original Application is common and identical, hence, both these OAs are being disposed of by way of this common order. For the purpose of

this order, reference is being made to the facts pleaded and the documents referred in Original Application No.203/00998/2017.

2. The applicant was working as Postman and superannuated on 28.02.2007. His pension was fixed to Rs.4,227/- w.e.f.01.03.2007 under Sixth Pay Commission. The Department of Pension and Pensioners' Welfare vide their (DOPPW) Office Memorandum dated 10.12.2009 communicated the decision of the Government regarding full entitlement of pension on completion of 20 years of qualifying service.

3. The applicant submitted his representation on 28.07.2017 (Annexure A-1) claiming arrears for the difference in amount of pension from 01.03.2007 to 31.12.2015.

4. The respondents issued revised PPO with forwarding letter dated 10.10.2017 (Annexure A-2) on which basis the respondents released Rs.1,97,677/- as arrears of difference of pension from 01.03.2007 to 31.12.2015.

5. The applicant, vide his application dated 18.10.2017 (Annexure A/3) requested for payment of 12% interest on the

delayed release of arrears, which has not agreed to by the respondents vide letter dated 27.10.2017 (Annexure A-4).

6. The applicant has sought for the following reliefs:

“8. RELIEF SOUGHT:-

In view of aforesaid facts and grounds, the Applicant respectfully prays from the Hon'ble Tribunal as under:-

8.1 That, the Hon'ble Tribunal be pleased to call for records of Applicants' case from the possession of the Respondents for its kind perusal and to decide the grievance of the poor Applicant.

8.2 That, the Hon'ble Tribunal be pleased to quash Respondent's letter dated 27.10.2017 (A-4) in the interest of justice.

8.3 That, Hon'ble Tribunal be pleased to pass an Order, directing the Respondents to release 12% Interest on difference of Pension Amount paid to the Applicant from 1.3.2007 to 31.12.2015 in the interest of justice.”

7. The respondents, in their reply, have submitted that as per letter dated 14.07.2014 (Annexure R-1) of Department of Posts, no interest is payable on delayed payment of pension/commuted value of pension (Para 2(ii) of letter).

8. We have heard the learned counsel for the parties and gone through the pleadings and documents available on record.

9. Learned counsel for the applicant relied upon the order dated 30.11.2011 passed by the Principal Bench of this Tribunal in Original Application No.948/2011 (**Jagdish Kumar vs. The**

Secretary Department of Telecommunication & Anr.),

wherein the following has been ordered:

“6.6In the absence of any cut off date for paying the arrears, the reasonable time for paying the arrears is assessed as 3 months from the date of issue of the relevant orders.....Thus, the respondents should pay interest at the GPF rate of interest.....”

10. In the instant case, we find that the respondent department was prompt enough to issue the revised PPO within six weeks from the date of receipt of the application of the applicant. However, the respondent department were supposed to take action of their own when the orders dated 10.12.2009 were issued by the DOPPW.

11. In respectful agreement to the orders passed by our coordinate Bench at Delhi, we direct the respondents to pay interest at GPF rate from three months after 10.12.2009 (date of issue of Office Memorandum) to the date of payment. This exercise shall be completed within a period of 60 days from the date of receipt of a certified copy of this order. No costs.

(Ramesh Singh Thakur)
Judicial Member
 am/-

(Navin Tandon)
Administrative Member