

**Central Administrative Tribunal
Madras Bench**

OA/310/00293/2017

Dated Tuesday the 19th day of June Two Thousand Eighteen

P R E S E N T

Hon'ble Mr. R.Ramanujam, Member(A)

A.R. Srinivasan
75/6, Shriji Apts
Vellala Street
Purasawalkam
Chennai 600 084.

.. Applicant

By Advocate **M/s. M. Vivekanandan**

Vs.

1. Union of India
Rep. by the Secretary
Department of Telecommunication
Ministry of Communication and IT
CGO Complex, Lodhi Road
New Delhi – 110 003.

2. The General Manager
(Head Quarters)
Department of Telecommunications
9, CGO Complex
Mahanagar Door Sanchar Sadan
New Delhi – 110 003.

.. Respondents

By Advocte **Mr. J. Vasu**

ORAL ORDER

Pronounced by Hon'ble Mr.R.Ramanujam, Member(A)

Heard both sides. The applicant has filed this OA seeking the following relief:-

“1. Direct the respondents to pay 9% interest on the pension arrears paid after a lapse of 3 to 8 years a sum of Rs. 2,19,086/-

2. Pass such further or other orders”

2. It is submitted that the applicant was working in Bombay Telephones District of the Department of Telecommunications and was absorbed in the newly formed Mahanagar Telephones Nigam Limited (MTNL) during the year 1988. The applicant retired on attaining the age of superannuation on 30.09.2001 and a pension payment order dated 25.09.2001 was issued allowing him to draw pension from Canara Bank, Kellys, Chennai.

3. It is further submitted that the applicant was being paid IDA pension which was revised as on 01.01.2007. The MTNL paid revised pension from 01.10.2012. The arrears of pension for the period from 01.01.2007 to 30.09.2012 was allowed to accumulate and was not paid allegedly due to financial constraints of the MTNL. Arrears amounting to Rs. 3,42,370/- (Rupees Three Lakh Forty Two Thousand Three Hundred and Seventy only) was paid on 29.02.2016 after

deducting Rs. 91,658/- towards income tax. The applicant sent a letter dated 04.07.2016 to the first and second respondents requesting to pay interest on the arrears paid due to the delay in payment and referred to the order of the Principal Bench in OA 2703/2013 which directed the authorities to pay interest at the 9% to the applicant therein.

4. Learned counsel for the respondents opposes the prayer for interest on delayed payment stating that the decision to revise the pension w.e.f. 01.01.2007 was taken in the year 2012 and the question of paying any arrears for the period 2007-2012 would not arise. As for the precedent case of OA 2703/2013 decided by the Principal Bench on 24.02.2015, it is submitted that the same had been challenged before the Hon'ble Delhi High Court and, therefore, the matter has not attained finality.

5. In the aforesaid backdrop of facts, it would appear that the interest of justice would be served in this case if the respondents are directed to re-consider the claim of the applicants in the event of Hon'ble Delhi High Court upholding the decision of the Principal Bench in favour of the applicant in the aforesaid OA within two months from the date of receipt of order of Hon'ble Delhi High Court.

6. OA is disposed of in the above terms. No costs.

(R.Ramanujam)
Member(A)
19.06.2018

AS