

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD**

OA./21/1545/2015
Dated: 31/1/2018

BETWEEN:

D. Ramulu,
S/o.Veeramallu,
aged about 69 years,
Occ: Retd. S.C. Railway Employee,
R/o. H.No. 25-5-15, New Somidi Village,
Hanumakonda, Warangal District.

..... Applicant

AND

1. The Chief General Manager,
South Central Railways,
Rail Nilayam, Secunderabad,
Hyderabad.
2. The Divisional Railway Manager,
South Central Railway,
Broad Guage, Rail Nilayam,
Secunderabad.

..... Respondents

Counsel for the Applicant : Mr. G.L. Narasimha Rao, Advocate
Counsel for the Respondents : Mrs. Vijaya Sagi, SC for Rlys.

CORAM

Hon'ble Mrs. Minnie Mathew, Administrative Member

ORAL ORDER

{Per Hon'ble Mrs. Minnie Mathew, Administrative Member }

There is no representation on behalf of the learned counsel for the applicant. Mrs. Vijaya Sagi, learned Standing Counsel for the Respondents present.

2. This OA has been filed seeking a direction to the 2nd respondent to release the retirement Provident Fund Pension amount of Rs.2,00,140/- with interest thereon w.e.f. the date of retirement on 30.06.2005.

3. The learned Standing counsel submits that an amount of Rs.2,00,000/- only was withheld from the settlement dues on account of notice from the Hon'ble Court of Principal Senior Civil Judge / Warangal in a case filed by one Smt. D. Iylamma. The Suit was however dismissed for default vide order dated 28.02.2014 as the plaintiff was not present on the date of the hearing. As the Suit was dismissed for default, the Railway Administration has taken a stand that the case would be re-opened anytime and hence, decided to keep the said amount in deposit till such time final orders to release the same are received. The applicant was also advised to submit a copy of the order directing to release the withheld amount. However, he did not submit any such order. Instead he filed the present O.A. to release the withheld amount. Thereafter, the respondents have re-examined the case and as the plaintiff has not filed any appeal within the period of limitation, it was decided by the Railway Administration to release the withheld amount.

Accordingly, the said amount of Rs.2,00,000/- has been released vide CO7 No.1190, dated 22.03.2017. On this ground, the learned Standing Counsel argued that nothing further survives for adjudication and that the OA may be

closed.

4. On perusal of the record it is seen that the applicant has also prayed for payment of interest on delayed settlements w.e.f. the date of his retirement on 30.06.2005. In view of the pendency of Original Suit, I am not inclined to grant interest from the date of the retirement of the applicant on 30.06.2005. However, the OS has been dismissed on 28.02.2014 and the applicant has submitted his representation to the authorities on 04.04.2014, which was followed up by a legal notice dated 03.08.2014. As they failed to respond he filed the present OA on 06.10.2015. As the authorities have not settled the payment even after more than a year of the dismissal of OS I hold that the applicant is entitled to get interest at the rate applicable to GPF deposits from the date of filing of the OA. The respondents are accordingly directed to pay interest at the rate applicable to GPF deposits from the date of filing of the OA. This shall be done within eight weeks from the date of receipt of a copy of this order.

5. The OA is disposed of with the above direction. No order as to costs.

(MINNIE MATHEW)
ADMN. MEMBER

Dated the 31st January, 2018
(Dictated in the Open Court)

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