



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

No. O.A. 1335 of 2018

Date of order: 1.10.2018

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Prasanta Kumar Ray Mukherjee, Retired IPS,
Son of Late Nabagopal Ray Mukherjee,
Residing at 26/2, P.G.M. Shah Road,
Kolkata – 700 033.

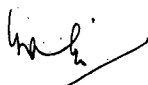
.. Applicant

- V E R S U S -

1. Union of India,
Through the Principal Secretary,
Department of Ministry of Personnel,
Public Grievances and Pensions,
Ministry of Home,
Having office at North Block,
Cabinet Secretariat, Raisina Hill,
New Delhi – 110 001.
2. The Principal Secretary,
Department of Ministry of Personnel,
Public Grievances and Pensions,
Ministry of Home,
Having office at North Block,
Cabinet Secretariat, Raisina Hill,
New Delhi – 110 001.
3. The Principal Secretary,
Ministry of Finance,
North Block,
Cabinet Secretariat,
Raisina Hill,
New Delhi – 110 001.
4. The Senior Accounts Officer (AIS Pension),
Central Pension Accounting Office,
Ministry of Finance,
Department of Expenditure,
Trikoort – II, Cama Place,
New Delhi – 110 066.
5. The State of West Bengal,

Through the Principal Secretary,
Home and Hill Affairs Department,
Nabanna, 325, Sarat Chatterjee Road,
Howrah – 711 102.

6. The Principal Secretary,
Home and Hill Affairs Department,
Nabanna, 325, Sarat Chatterjee Road,
Howrah – 711 102.
7. Officer on Special Duty & E.O. Joint Secretary,
Home and Hill Affairs Department,
Government of West Bengal,
Police Service Cell,
Block – III, 3rd Floor, Writers Building,
Kolkata – 700 001.
8. Officer on Special Duty & Controller of Accounts,
AIS Pension & Service Records & Ex-Officio
Joint Secretary to the Government of West
Bengal, Department of Personnel &
Administrative Reforms & e-Governance,
AIS Pension Cell, Block – IV, 2nd Floor,
Writers Buildings,
Kolkata – 700 001.
9. The Principal Accountant General,
West Bengal, Treasury Building,
Kolkata – 700 001.
10. Pay & Accounts Officer,
Kolkata Pay and Accounts Office – II,
Jowahar Building, P-I, Hyde Lane,
Kolkata – 700 073.
11. The Joint Director (Accounts),
West Bengal Police Directorate,
Bhabani Bhawan,
South 24 Parganas – 700 027.
12. Special Officer [IPS Cell],
West Bengal Police Directorate,
Nabanna,
325, Sarat Chatterjee Road,
Howrah – 711 102.
13. The Director General & Inspector General
Of Police, West Bengal,
West Bengal Police Directorate,
Nabanna, 325, Sarat Chatterjee Road,



Howrah – 711 102.

.. Respondents

For the Applicant : Mr. A.K. Mukherjee, Counsel

For the Respondents : Ms. A. Kaunda, Counsel

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

Ld. Counsel for the applicant and respondents are both present and heard.

2. This Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:-

"(I) Pass an order/direction commanding the respondents and each one of them to pay interest at the rate of 18% per annum on Rs. 3,31,122/- from 01.05.1998 till the date of disbursement of such amount i.e. on 23.4.2018 and to act in accordance with law by acting in the manner as stated hereinabove;

(II) Such further or other orders as Your Lordships may deem fit and proper."

3. Ld. Counsel for the applicant submits that the applicant served under the Indian Police Service and superannuated on 30.4.1998.

That, a judicial proceeding was initiated in 1985 and in view of the pendency of such proceeding, no retirement gratuity was released in his favour subsequent to his superannuation. As the proceedings were not concluded even after the expiry of more than 20 years given that the FIR was lodged in 1991, the Hon'ble High Court of Calcutta passed an order on 7.10.2015 in CRR No. 1098 of 2014 quashing the aforementioned judicial proceeding arising out of Barrackpore Police Station Case No. 92 dated 31.8.1991.

hokur

That the applicant after quashing of aforementioned judicial proceedings, prayed for sanction of retiring gratuity, commuted value of pension and other retirement dues in his favour and, although Rs. 3,31,122/- was sanctioned in applicant's favour towards his retirement gratuity vide payment order dated 14.3.2018, no interest had been paid thereon despite the delayed payment. The applicant claims that he is entitled to receive interest w.e.f. 1.5.1998 till the disbursement of the gratuity amount in April, 2018.

4. Ld. Counsel for the applicant submits that the applicant will be satisfied if a direction is issued to the competent respondent authority to dispose of the said representation at Annexure E to the O.A. dated 2.5.2018 in a time bound manner.

Ld. Counsel for the respondents does not object to the same.

5. Accordingly, with the consent of the parties and, without entering into the merits of the matter, we hereby direct the respondent No. 13, who is the Director General & Inspector General of Police, West Bengal, West Bengal Police Department to examine the claims made in the said representation dated 2.5.2018, if received at his end, and to dispose of the same with a reasoned and speaking order, in accordance with law and in terms of Rules governing the field within a period of six weeks from the date of receipt of a copy of this order.

6. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP