

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00414/2019
Chandigarh, this the 26th day of April, 2019

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**CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MS. P. GOPINATH, MEMBER (A)**

...

Vijay Kumar s/o Sh. Dilawar Singh, aged 62 years, r/o House No. 486, Sector 25, Chandigarh – 160024.

....Applicant

(Present: None)

Versus

1. Home Secretary-cum-Transport Secretary, U.T. Secretariat, Sector 9, Chandigarh – 160009.
2. Director, Transport, U.T. Industrial Area, Phase-I, Chandigarh – 160002.
3. Accountant General (A&E), U.T. Chandigarh, Sector 17, Chandigarh – 160009.

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Respondents

(Present: Mr. Arvind Moudgil, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. This O.A. has been filed by the applicant seeking issuance of a direction to the respondents to award interest @ 18% p.a. on delayed payment of gratuity, GPF, leave encashment, commuted value of pension w.e.f. 01.12.2016 till the date of payment of the same, as mentioned in para 4(v) of the O.A.
2. The advocates are abstaining from work today, on a call from the High Court Bar Association, Chandigarh. Applicant, too, did not appear.
3. Considering the fact that the matter relates to a senior citizen and that the legal notice dated 05.10.2017 (Annexure A-1) served

upon the respondents by the applicant stands unanswered till date, we deem it appropriate to direct the respondents to take a call and decide the indicated legal notice, in view of relied upon judgment of the Hon'ble Supreme Court in the case of **Union of India Vs. Justice S.S. Sandhawalia** (1994) 2 SCC 240. If the relevant amount of gratuity, GPF, leave encashment, commuted value of pension has been withheld without any reason or legal right, the interest at the admissible rates be awarded to the applicant, otherwise a reasoned and speaking order be passed within a period of two months from the date of receipt of a copy of this order. Ordered accordingly.

4. Needless to mention, that the disposal of the O.A. shall not be construed as an expression of any opinion on the merits of the case. No costs.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 26.04.2019

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