

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH  
KOLKATA

MA. 350/00116/2015  
OA. 350/00481/2015

Date of Order 18.01.2016.

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Ms. Jaya Das Gupta, Administrative Member

R.N. Sarkar  
Vs.  
E. Rly.

For the Applicant : Mr. SK Dutta, Counsel

For the Respondents : Mr. AK Banerjee, Counsel

ORDER (Oral)

Per Ms. Bidisha Banerjee, JM:-

This OA has been filed seeking the following reliefs:

"8(a) An order holding that the impugned recovery of a sum of Rs. 65,000/- is bad in law.

(b) An order directing the respondents to refund and pay to the applicant the recovered sum of Rs. 65,000/- with interest at the rate as to this Hon'ble Tribunal may seem fit and proper and within such period as this Hon'ble Tribunal may deem fit and proper.

(c) An order directing the respondents to produce/cause production of all relevant records.

(d) Any other order or further order/orders as to this Hon'ble Tribunal may seem fit and proper."

2. Learned counsel for the respondents submitted that the recovered amount of Rs. 65,000/- has been refunded to the applicant in December, 2015.

3. Learned counsel for the applicant submitted that it was due and payable in 2009 and he has prayed for interest of withheld amount paid by the department towards 6<sup>th</sup> CPC balance arrears.

4. Learned counsel for the respondents <sup>fairly</sup> admitted at the bar that the delay of department or refund could not be attributed to the present applicant.

5. Therefore, in the interest of justice, we direct the authorities to pay the simple interest at @ 6% on the withheld amount from the date it was withheld till the date it was paid. Let the benefits be released within 1 <sup>month</sup> ~~one~~ from the date of communication of this order.

6. Accordingly, the OA and MA are disposed of. No costs.

(Jaya Da  
Member (A)

pd

*Banerjee*  
(Bidisha Banerjee)  
Member (J)