

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 71/2018

New Delhi this the 08th day of August, 2019

Hon'ble Ms. Nita Chowdhury, Member (A)

R.D. Jaglan, aged 61 years,
S/o Sh. Chandgi Ram,
Retired Senior Section Engineer (P.Way),
Delhi Divisional, Northern Railway, New Delhi,
R/o 265-A/33, Near B.Kanya School,
Khad Mandi, Rohtak (Haryana)

...Applicant

(By Advocate : Sh. Yogesh Sharma)

Versus

1. Union of India through the General Manager,
Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Delhi Division,
State Entry Road, New Delhi.
3. The Senior Divisional Personnel Officer,
Northern Railway, Delhi Division,
State Entry Road, New Delhi. ... Respondents

(By Advocate: Mr. Krishna Kant Sharma)

ORDER (Oral)

The applicant has filed this OA, seeking the following reliefs:-

- (i) That the Hon'ble Tribunal may graciously be pleased to pass an order of quashing the impugned order dated 17.5.2017 (A/I), declaring to the effect that the same is illegal, arbitrary and against the law of the land and consequently, pass an order directing the respondents to release the balance DCRG amount of Rs. 1122018/- of the applicant immediately without any recovery with interest @ 18% PA from due date till payment.
- (ii) That the Hon'ble Tribunal may graciously be pleased to pass an order directing the respondents to grant the interest on the delayed payment of gratuity of the applicant from the date of retirement till the date of payment i.e. upto 8.3.2017.
- (iii) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicant. “

2. When the matter is taken up for hearing, learned counsel for the applicant informs us that the relief (i) is not pressed any further as DCRG payment has already been made by the respondents. He presses for grant of interest on the delayed payment of Gratuity. We have noted that as per sub-section 3A of Section 7 of Payment of Gratuity Payment 1972, (3A), if the amount of gratuity payable

under sub-section (3) is not paid by the employer within the period specified in sub-section (3), the employer shall pay, from the date on which the gratuity becomes payable to the date on which it is paid, simple interest at such rate, not exceeding the rate notified by the Central Government from time to time for repayment of long-term deposits, as that Government may, by notification specify. Hence, we direct the respondents to dispose of this relief in terms of the aforesaid section of the Act. Any amount, if found due, shall be released within 45 days of receipt of a copy of this order.

4. With the above orders, the OA stands disposed. No order as to costs.

**(Nita Chowdhury)
Member (A)**

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