

**Central Administrative Tribunal
Ernakulam Bench**

O.A 180/00152/2019

Wednesday, this the 26th day of June, 2019

CORAM

HON'BLE MR.ASHISH KALIA, JUDICIAL MEMBER

C.Arumughom, S/o.Late Chudala
Aged 60 years, Rtd MTS, Karunagappally HO
Residing at Nerakkathu Thodi
MG Nagar – 42
Kallumthazham P.O
Kilikolloor – 691 004

..... **Applicant**

(By Advocate Mr.V.Sajith Kumar)

V e r s u s

1. Union of India, represented by the Secretary
to the Government of India
Ministry of Communication
Department of Post, Government of India
New Delhi – 110 001
2. The Chief Postmaster General
Kerala Circle, Trivandrum – 695 033
3. The Director of Accounts, Kerala Postal Circle
Trivandrum – 695 033
4. The Senior Superintendent of Post Office
Kollam Postal Division, Kollam-691 001

.....**Respondents**

(By Advocate – Mr.Anil Prasad,ACGSC)

This Original Application having been heard on 26.6.2019, the Tribunal on the same day delivered the following:

ORDER (ORAL)

Per: Mr.Ashish Kalia, Judicial Member

Learned counsel for the respondents submitted at the Bar that they had made payment to the applicant in PB-1 with Grade Pay Rs.1800/- in terms of the order passed by this Tribunal while allowing the Original Application No.658/2013 on 1.7.2016. Same was further challenged by the respondents before the Hon'ble High Court as well as Hon'ble Apex Court. On dismissal of their SLP, respondents have immediately implemented the Order of this Tribunal and granted the pension in the Grade Pay of Rs.1800/- to the applicant. On the contrary, learned counsel for the applicant submits that if the payment is made after three months, the applicant is entitled to interest on delayed gratuity.

2. After hearing learned counsel for the parties at length, this Tribunal of this view that the Tribunal had decided this case way back in 2016 and the respondents were chosen to contest the matter further and which was not successful also. Hence, I am of this view that the applicant has a claim for interest on delayed payment on gratuity. Thus, I hold that the applicant is entitled for interest on delayed payment of gratuity made to him without having his fault. The respondents are hereby directed to pay interest on the gratuity from the date of due till the date of actual payment with interest @ of 7% to the applicant. This shall be complied with by the respondents within 90 days from the date of receipt of a copy of this order.

3. The Original Application is disposed of as above. No order as to costs.

(ASHISH KALIA)
JUDICIAL MEMBER

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List of Annexures

- Annexure A1 - A true copy of the letter number C/05/18 dated 27.9.2017 issued by the 4th respondent
- Annexure A2 - A true copy of the memo number : BB/Misc. Dated 27.09.2018 issued by the 4th respondent
- Annexure A3 - A true copy of the representation dated 3.11.2018 submitted by the applicant to the 2nd respondent
- Annexure A4 - A true copy of the representation dated 24.11.2018 submitted by the applicant to the 2nd respondent
- Annexure A5 - A true copy of the representation dated 21.2.2019 submitted by the applicant to the 1st respondent
- Annexure R1 - True copy of the letter No.C/05/18 dated 21.5.2018
- Annexure R2 - True copy of the PPO issued in favour of the applicant by the 3rd respondent
- Annexure R3 - True copy of the order for the retirement gratuity sanctioned to the applicant issued by the 3rd respondent
- Annexure R4 - True copy of the sanction issued for the as commuted value of pension to the applicant

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