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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 2245/2019 & CM APPL. 10533-10534/2019**

NORTH DELHI MUNICIPAL CORPORATION Petitioner

Through: Mr. Sumeet Kaul, Adv.

versus

INDERJEET SINGH

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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08.03.2019

CM APPL. 10534/2019

Exemption allowed, subject to just exceptions.

W.P.(C) 2245/2019 & CM APPL. 10533/2019

The petitioner-NDMC assails the order dated 21.03.2018 passed by the Central Administrative Tribunal, Principal Bench, ('CAT'), in OA No. 1166/2016. The Tribunal has allowed the said OA of the respondent and directed the petitioner to pay to the respondent interest at the prevailing GPF rate on all the items of retiral benefits namely, leave encashment, GPF, GIS, DCRG and pension commutation, from the date the said amount becomes due till the date of disbursal.

The respondent had preferred the OA to claim interest on account of the fact that though he had superannuated on 31.08.2015, his retiral dues were not paid for no rhyme or reason. The petitioner-NDMC contended that

they could not pay the same on account of paucity of funds. In our view, that cannot be considered as a valid excuse. Mere passing of a resolution to pay the retiral dues cannot be a panacea to the suffering of the respondent caused due to the delay in release of the retiral dues to the respondent. Interest is awarded so as to compensate the person, who is entitled to receive the money, for inflation and depreciation in value money, and also to compensate him or her for the inconvenience that may be caused on account of non-payment of the amount, when due.

We do not find any infirmity in the impugned order.

Dismissed.

VIPIN SANGHI, J

A. K. CHAWLA, J

MARCH 08, 2019

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