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

+ **W.P.(C) 704/2017**

UNION OF INDIA

..... Petitioner

Through: Mr.Praveen Kumar Jain and Ms.Aashna,
Advocates.

versus

PREM LATA KHUTAIL & ANR

..... Respondent

Through: Ms.Ruchika Mittal, Advocate for R-1.
Mr.Arun Sanwal, Advocate for R-2.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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19.11.2019

1. The challenge in the present petition is to an order dated 24th February, 2015 of the Central Administrative Tribunal (CAT) in OA No. 2703/2013 as well as to an order dated 28th January, 2016 in RA No. 95/2015.

2. The short question arises for consideration in the present petition is whether the Petitioner, i.e. the Department of Telecommunications (DOT) in the Ministry of Communications and IT, Union of India is liable to pay interest for the delayed payment of pension which was originally to be paid to its

employees by the Mahanagar Telephone Nigam Limited (MTNL)?

3. By the impugned order, the Petitioner has been burdened with the interest payment and to that extent it has challenged it in the present petition.

4. It is seen that even during the pendency of the petition before the CAT, the original Petitioner had died and the matter was being pursued by his widow, the Respondent No.1 herein.

5. Respondent No.1 only receives a family pension, which is a far lesser amount than the original pension. Correspondingly, the interest to be paid for the delayed payment imposes a lesser burden on the Petitioner.

6. It has also been brought to the attention of the Court that the interest amount has been deposited by the Petitioner and has been disbursed to Respondent No.1.

7. In these special circumstances, the Court directs that it is in the interest of justice that the impugned orders dated 24th February, 2015 in OA No. 2703/2013 and 28th January, 2016 in RA No. 95/2015 of the CAT should be confined to the facts of the present case and not be considered as precedent in the other cases. The question of law, if any, arising from the impugned orders,

is left open for decision in an appropriate case. The petition is disposed of in the above terms. No costs.

S. MURALIDHAR, J.

TALWANT SINGH, J.

NOVEMBER 19, 2019/pa