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

+ W.P.(C) 5506/2018 & C.M. Nos. 21454/2018 & 29922/2018

UNION OF INDIA AND ORS.

..... Petitioners

Through: Mr. R.V. Sinha & Mr. A.S. Singh,
Advocates.

versus

DR. SATISH CHANDRA GOVIL

..... Respondent

Through: Mr. S.S. Tiwari, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

16.01.2019

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The Union of India has preferred this writ petition to assail the order dated 19.12.2017 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (CAT/ Tribunal) in O.A. No.2185/2012. By the impugned order, the Tribunal has allowed the said Original Application preferred by the respondent. The Tribunal has directed payment of interest to the respondent on the payment of retiral dues which were delayed, except commuted value of pension since the respondent was drawing provisional pension. Interest has been directed to be calculated at the GPF rates right from the date when the said payments became due to the respondent till the date of actual release of dues to the respondent.

The submission of Mr. Sinha is that in the rules there is no express provision providing for payment of interest on the delayed payment of retiral

dues, including leave encashment.

This issue is no longer res integra. There are several decisions rendered by this Court, including the decisions in W.P. (C) No.5505/2012 titled *Govt. of NCT of Delhi Vs. Nand Lal Singh* decided on 04.09.2012; W.P. (C) No. 12365/2018 titled *Union of India & Others Vs. Shri Satish Kumar & Another* decided on 22.11.2018; and W.P. (C) No. 9394/2017 titled *Govt. of NCT of Delhi Vs. Prem Nath Manchanda* decided on 11.12.2018, wherein the submission of the Government – that there is no statutory rule for payment of interest on delayed release of retiral dues, has been rejected. The issue raised by the respondent is squarely covered against the petitioner.

Accordingly, we find no merit in this petition and dismiss the same. The petitioner is directed to comply with the order of the Tribunal positively within the next four weeks.

VIPIN SANGHI, J

A. K. CHAWLA, J

JANUARY 16, 2019

B.S. Rohella