

O.A. No. 372/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).

Dated : 21st June 2017.

Heard Shri Sachin Khandekar, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondent No.1.

2. The applicant is a non medical degree holder Assistant Professor serving in the department of respondents. He has completed the age of 62 years on 31.6.2016. It is stated that he is continued in service after the age of 58 years till today. The learned counsel for the applicant also places reliance on the two judgments delivered by this Tribunal in O.A. Nos. 72/2011 and 74/2015 with O.A. 78/2015. From the said judgments, it seems that the age limit for retirement to the medical as well as non medical degree holder has been extended up to 62 years. The learned counsel for the

applicant invited my attention to the G.R. dated 28.7.2014 from which it seems that the age limit is further extended from 62 to 63 years and the applicant is claiming such extension upto 64 years. The learned counsel for the applicant submits that inspite of the fact that his services came to an end, the applicant is continued in service and the Dean has also written a letter to releases the applicants salary for the month of April 2017. In my opinion, it is necessary to obtain the say of the respondents on the submission made by the applicant.

3. The learned counsel for the applicant submits that he will press for interim relief on the next date.

3-A. Hence, issue notices to respondent Nos.2 to 5 returnable by **5th July 2017**.

4. Shri A.M. Ghogre, the learned P.O. waives notice for the respondent No.1. Hamdast granted.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.

6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunals (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

8. The service may be done by hand delivery, speed post or courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within three weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. 5.7.2017.

Vice-Chairman(J)

pdg..

O.A. No.616 /2016.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).**

Dated : 21st June 2017.

Heard Shri M.R. Rajgure, the learned counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents 1 to 3. Smt. S.W. Deshpande, Adv. for R.4.

The applicant is claiming that a departmental enquiry which has been initiated against the applicant on 30.5.2015 after retirement shall be held bad in law and the respondents be directed to pay all the retiral benefits of the applicant alongwith interest. Affidavit in reply has been filed by respondent No.4 in which it is stated that the retiral benefits will be released at the earliest. Today, the Ld. Advocate for R.4 has placed on record the communication dated 14.6.2017 which is marked %+ for the purpose of identification, from which it is clear that the

departmental enquiry initiated against the applicant has been cancelled and steps have been taken for releasing retiral benefits of the applicant. The learned counsel for the applicant submits that no due certificate has already been issued by the department in favour of the applicant and, therefore, there will be no impediment in getting retiral benefit as claimed by the applicant. The learned counsel for the applicant submits that the respondents be directed to release the benefit within time frame. In view thereof, following order is passed:-

Order

- (i) Application stands disposed of with a direction to respondent No.4 to release retiral benefits of the applicant within a period of three months from the date of this order.
- (ii) No order as to costs.

Vice-Chairman(J)

pdg..

O.A. No.745 /2016.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).**

Dated : 21st June 2017.

Shri M.R. Khan, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

At the request of Ld. counsel for the applicant, S.O. **two weeks.**

Interim relief to continue till then.

Vice-Chairman(J)

pdg..

O.A. No.88 /2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).

Dated : 21st June 2017.

Shri A.P. Sadavarte, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents 1 & 2. None for R.3.

The Ld. P.O. has filed reply affidavit on behalf of R.1. It is taken on record and a copy thereof is supplied to the learned counsel for the applicant.

S.O. 4th July 2017.

Vice-Chairman(J)

pdg..

O.A. No.247 /2016.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).**

Dated : 21st June 2017.

None for the applicant. Shri A.M. Khadatkar, the learned P.O. for the respondents 1 to 3.

The services of respondent Nos. 4 and 5 are awaited. Applicant is directed to file service affidavit, else matter will be considered for dismissal.

S.O. two weeks.

Vice-Chairman(J)

pdg..

O.A. No.752 /2015.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).**

Dated : 21st June 2017.

None for the applicant. Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 3. None for R. 4 to 6.

The applicant is not taking steps to serve respondent Nos. 2 to 6 and, therefore, matter was kept for today for passing necessary order. Today also, none appeared for the applicant. Respondent No.1 has already filed affidavit in reply.

S.O. **two weeks** for dismissal.

Vice-Chairman(J)

pdg..

O.A. No.755 /2015.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).**

Dated : 21st June 2017.

C.A.259/2017.

Shri Vipul Bhise, the learned counsel for the applicant and Mrs. M.A. Barabde, the learned P.O. for the respondents 1 and 2. None for R. 3 to 18.

The learned counsel for the applicant seeks two weeks time to collect addresses of the respondents.

S.O. two weeks.

Vice-Chairman(J)

pdg.

O.A. No.103 /2017.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).**

Dated : 21st June 2017.

Shri J.S. Wankhede, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 3.

Await service to R.4.

The learned counsel for the applicant submits that he has already served respondent No.4. He is filing service affidavit in the office. Ld. P.O. seeks two weeks time to file reply of R. 1 to 3.

S.O. **two weeks** .

Vice-Chairman(J)

pdg..

O.A. No.72 /2017.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).**

Dated : 21st June 2017.

Shri S.P. Palshikar, the learned counsel for the applicant and Smt. S.V. Kolhe, the learned P.O. for the respondents.

Ld. P.O. seeks time to file reply of respondents.

S.O. three weeks .

Vice-Chairman(J)

pdg..

O.A. No.87 /2017.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).**

Dated : 21st June 2017.

None for the applicant. Shri H.K. Pande, the learned P.O. for the respondents.

At the request of Ld. P.O., S.O. **four weeks** to file reply of respondents.

Vice-Chairman(J)

pdg..

O.A. No.769/2016.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).

Dated : 21st June 2017.

Heard Shri G.K. Bhusari, the learned counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

The Ld. P.O. has filed pursis on record adopting reply of respondent No.3.

In view of the fact the pleadings are complete, O.A. is admitted and kept for final hearing in due course.

Shri H.K. Pande, the learned P.O. waives notice for the respondents.

Vice-Chairman(J)

pdg..

O.A. No. 281/2017.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).**

Dated : 21st June 2017.

None for the applicant. Shri P.N. Warjekar, the learned P.O. for the respondents.

At the request of Ld. P.O., S.O. **three weeks.**

Vice-Chairman(J)

pdg..

O.A. No. 84/2017.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).**

Dated : 21st June 2017.

None for the applicant. Shri S.A. Sainis, the learned P.O. for the respondents.

At the request of Ld. P.O., S.O. **26th July 2017** for filing reply.

Put up this O.A alongwith O.A. No. 191/2016.

Vice-Chairman(J)

pdg..

O.A.362/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

C.A.256/2017

Heard Shri P.S. Verma, Id. Counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. For the reasons stated in the application, the C.A. for sue jointly is allowed.

O.A.362/2017 .

Issue notice to R-2 to 4, returnable in **four weeks**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

2. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

3. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

4. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

5. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

6. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A.830/2016

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

None for the applicant.

Shri S.A. Deo, Id. CPO for the State.

2. The office objections raised by the Registry are not removed. The applicant and his counsel did not appear since long and therefore the matter was posted on 5/5/2017. On that date also nobody appeared for the applicant and therefore the matter was adjourned After Summer Vacation for passing necessary orders. Today also nobody appeared for the applicant. It seems that the applicant is not interested in prosecuting the O.A. Hence, the O.A. stands dismissed in default. No order as to costs.

Vice Chairman (J)

dnk.

O.A.25/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

None for the applicant. Shri S.A. Deo, Id. CPO for R-1. Await service of R-2 and 3.

2. It seems that applicant has not collected the notices to serve R-2&3. The learned CPO however submits that he has been instructed from respondent no.2 to take time to file reply-affidavit. In other words, the respondent no.2 seems to have been served.

3. In the interest of justice, the applicant is given one more chance to serve respondent no.3.

S.O. four weeks.

Vice Chairman (J)

dnk.

O.A.29/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

There is a leave note from Shri G.G. Bade, Id. counsel for the applicant. Shri A.P. Potnis, Id. P.O. for the R-1. Await service of R-2 to 4.

S.O. four weeks.

Vice Chairman (J)

dnk.

O.A.81/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

None for the applicant. Shri S.A. Deo, Id. CPO for R-1. Await service of R-2&3.

2. It seems that no steps are taken to serve R-2&3 since long. Hence, put up the matter for dismissal after two weeks.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A.318/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Shri S.N. Gaikwad, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for R-1. Await service of R-2&3.

The learned counsel for the applicant submits that respondent nos. 2 and 3 have been

served and he will file service affidavit accordingly. The learned P.O. seeks time to file reply.

S.O. three weeks.

Vice Chairman (J)

dnk.

O.A.823/2016

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Smt. K.N. Saboo, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for the Respts.

At the request of Id. P.O., S.O. **three weeks.**

Vice Chairman (J)

dnk.

O.A.66/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Shri S.M. Khan, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the Respts.

Ld. P.O. submits that he will filed reply-affidavit during the course of day.

S.O. two weeks for filing rejoinder, if necessary.

Vice Chairman (J)

dnk.

O.A.82/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Smt. Saboo, Id. counsel for the applicant,
Shri V.A. Kulkarni, Id. P.O. for R-1&2 and T.M.
Zaheer, Id. counsel for R-3&4.

Ld. P.O. as well as Id. counsel for R-3&4
seeks time to file reply-affidavit.

S.O. three weeks.

Vice Chairman (J)

dnk.

O.A.85/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Shri D.N. Mathur, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the Respts.

Ld. counsel files rejoinder on behalf of the applicant. It is taken on record. Copy is served to the Id. P.O.

The matter is admitted and kept for final hearing.

Ld. P.O. waives notice for the respondents.

S.O. After two weeks.

Vice Chairman (J)

dnk.

O.A.86/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Heard Shri A.V. Bhide, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

2. In the O.A. the applicant has challenged the suspension order dated 22/11/2016 (A-1,P-10) passed by the Collector, Akola and prayed that the said order be quashed and set aside.

3. The learned CPO has placed on record a copy of the order dated 30/3/2017 which is marked Exh-X for the purpose of identification and submitted that the suspension order of the applicant has been revised and the suspension is revoked and therefore in view of this nothing survives in the O.A. The learned counsel for the

applicant submits that at the time when the applicant came to be suspended he was posted at Telhara, dist. Akola and during suspension he was sent to Usmanabad and after revocation order the applicant has been brought to Yavatmal, instead at Telhara. He will be at liberty to challenge this order. The learned counsel for the applicant seeks permission to file representation in this regard.

4. In view of the above facts, the O.A. stands disposed of with liberty to make a representation as regards his posting after revocation. No order as to costs.

Vice Chairman (J)

dnk.

O.A.215/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Shri G.K. Bhusari, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the Respts.

At the request of Id. P.O., **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A.252/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Shri R.Ramaswamy, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the Respts.

At the request of Shri A.M. Ghogre, Id. P.O. for the Respts., **S.O. three weeks** for filing reply by way of last chance.

Vice Chairman (J)

dnk.

O.A.258/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Shri M.R. Rajgure, Id. counsel for the
applicnat.

At the request of Shri S.A. Deo, Id. CPO
for the Respts., **S.O. four weeks** for filing reply.

Vice Chairman (J)

dnk.

O.A.376/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Heard Shri N.N. Thengre, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for the State.

2. The applicant has challenged his order of transfer dated 31/5/2017 (A-J, P-33) from the office of Water Survey and Development Agency, Chandrapur to the office of Water Survey and Development Agency, Gadchiroli. It is stated that the applicant has just completed two years at Chandrapur and therefore he was not due for transfer. It is from the record however shows that the applicant himself has filed one application requesting for his transfer at Gadchiroli on 4/2/2017. It is stated that he was ready to go at Gadchiroli on his own expenses. However, according to the applicant he has withdrawn that application vide another letter dated 8/5/2017. The applicant has himself has placed on record one letter dated 4/2/2017 addressed by the applicant to the Dy. Director of Water Survey and Development Agency, Nagpur in which he has used abusing language against Shri Vishwas Walde. Whether the applicant's application for withdrawal of his request was put up before the Authority or not will have to be considered on merits.

3. In view of the above, issue notice to R-2 to 5, returnable in **four weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A.377/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Heard Shri N. Khamborkar, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the State.

2. Vide impugned order dated 16/6/2017 the applicant has been transferred from the post of Associate Professor, Vasantnao Naik Arts and Science College, Nagpur to Rajaram

Mahavidyalaya, Kolhapur and in her place the respondent no.3 has been posted. Admittedly, the applicant has worked at Nagpur since last 17 years. The Id. P.O. submits that the applicant is at Nagpur since 20/8/1997.

3. The learned counsel for the applicant seeks permission to withdraw the O.A. with a permission to file representation to the Govt. on the personal grounds of the applicant for cancellation of her transfer. In view thereof, the following order :-

ORDER

The O.A. stands disposed of as withdrawn. No order as to costs. The applicant will be at liberty to file representation to the competent authority.

Vice Chairman (J)

dnk.

O.A.378/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Heard Shri S.M. Khan, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. The learned counsel for the applicant submits that he has been instructed to withdraw the O.A. In view thereof, he is permitted to withdraw the O.A. The O.A. is therefore disposed of as withdrawn. No order as to costs.

Vice Chairman (J)

dnk.

O.A.379/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Heard Shri Bharat Kulkarni, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State.

2. The applicant has challenged the impugned order of transferred issued by respondent no.3 dated 31/5/2017, whereby he has been transferred from the post of Instructor, ITI, Nagpur to ITI, Chandrapur. Admittedly the applicant is at Nagpur since April,2011 and therefore he is very much due for transfer. The applicant submitted that prior to his transfer the applicant and one Smt. Raut has given application for mutual transfer but the same was not considered. Similarly, options were called but place of option has not been considered and the third ground is that the order has been issued without approval of the competent authority. All these points will be considered on merits.

3. Hence, issue notice to R-2 to 4, returnable in **three weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. **S.O. three weeks.**

Vice Chairman (J)

dnk.

O.A.557/2013

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

None for the applicant.

Shri A.M. Ghogre, Id. P.O. for the Respts.

On the earlier dated the matter was posted on the request Id. counsel for the applicant. Therefore the matter be kept for dismissal on **23/6/2017**.

Vice Chairman (J)

dnk.

O.As.758,761 & 762 of 2013

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Heard Shri P.S. Patil, Id. counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for the Respondents.

2. The learned P.O. submits that he wants to take instructions and file additional affidavit if required in view of the rejoinder filed by the applicant for which he seeks two weeks time.

3. The learned counsel for the applicant submits that O.A.390/2014 is on similar point and the said applications may be tagged along with this O.A.

In view thereof, **S.O. 11/7/2017** along with O.A. 390/2014.

Vice Chairman (J)

dnk.

O.As.179 & 180 of 2016

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Shri G.K. Bhusari, Id. counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for the Respts.

At the request of Id. counsel for the applicants, **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A.424/2016

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

None for the applicant.

Shri A.P. Potnis, Id. P.O. for the respondent nos. 1 to 3. None for R-4.

Matter be kept for dismissal after two weeks.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A.07/2016

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

None for the applicant. Smt. S.V. Kolhe, Id. P.O. for R-1 to 3 and none for R-4.

2. This O.A. was dismissed in default in view of the order dated 13/2/2015. However, subsequently the applicant filed application for

restoration and the same was allowed and the matter was restored on 11/2/2017. A detailed order was passed on the application of restoration on 11/2/2017 and at the request of Id. counsel the matter was kept for final hearing on 226/4/2017 and it has come today. In view thereof, the matter be kept for dismissal **after two weeks.**

Vice Chairman (J)

dnk.

O.A.625/2016

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 21.06.2017.

Heard Shri Bharat Kulkarni, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned P.O. has placed on record one communication dated 18/5/2017 which is marked Exh-X for the purpose of identification and submits that a Cheque for Rs.39,011/- towards the interest has been paid to the applicant and therefore nothing remains in the

O.A. It seems that the applicant claimed interest @ 10% and the difference of interest is Rs.88,431/- according to the applicant. In the letter dated 31/1/2017, it is stated that the difference of interest is Rs.43,832/-. Out of which Rs.4,821/- has been paid and only amount of Rs.39,011/- is to be paid to the applicant.

3. The Id. P.O. admits the fact that the Department has calculated the interest as per the provisions of Rule 129 (a) of the Maharashtra Civil Services (Pension) Rules,1982. According to the Id. counsel Department has calculated interest @ 8% p.a. instead of 10% p.a., whereas earlier interest was granted @ 10% p.a. on gratuity. The interest is to be calculated considering the date of the retirement of the applicant and the prevailing rate at that time. The respondents are therefore directed to file a short affidavit making it clear as to what was the rate of interest from time to time and at the date of retirement of the applicant and give details of the interest of calculation.

S.O. four weeks.

Steno copy be provided to the Id. P.O.

Vice Chairman (J)

dnk.