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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

D.A.NO.2424/94

New Delhi, this the 17th day of August, 1995

Hon'ble Shri J.P. Sharma, Member(J)

Shri K.P. Sharma,
s/o Shri K. Subbarao,
r/o Sector 7,
QR. No.1994
R.K. Puram,
New Delhi.

... Applicant

By Advocate: Shri V.K. Rao

Vs.

1. The Secretary,
Union of India
through-Cabinet Secretary
South Block, New Delhi.

2. Directorate of Accounts,
Cabinet Secretariat,
East Block No.IX,
Level 7, R.K. Puram,
New Delhi.

... Respondents

By Advocate: Shri Vijay Mehta

ORDER (ORAL)

The applicant retired from the Cabinet Secretariat as a Technical Officer w.e.f. 31st March, 1992. He has maintained GPF Account with the respondents and the amount on monthly contribution adjusted yearly by the respondents matured in May, 1992 to Rs.46,872/-. However, the applicant was paid only an amount of Rs.31,664/- whereby a withdrawal of Rs.2,400/- was shown as made by the

applicant as a temporary advance in the year 1978. The applicant represented and thereafter he filed this application in September, 1994 praying for balance amount of Rs.15,208/-. The respondents contested this application. However, during the pendency of the application, a further amount of Rs.13,303/- was paid to the applicant as calculated upto October, 1992 with upto date interest on 24.1.95. The grievance of the applicant is that he is not disputing the correctness of the sum arrived at by the respondents Rs.13,303/- but he claims for interest for the period beyond October, 1992 till the date of payment in January, 1995.

Shri Vijay Mehta ^{counsel} appears for the respondents and argues that there has been some administrative lapse on the part of the department, as the applicant though prayed for withdrawal of temporary advance in 1978 of Rs.2,400/- but actually the amount was not withdrawn by the applicant and it was shown as withdrawn in the GPF balance of the corresponding year. In view of this, the subsequent balance standing in the name of the applicant was less than this amount Rs.2,400/-. On further verification after filing of the application, the defect was removed and the amount of Rs.2,400/- alongwith interest and bonus was calculated upto October, 1992 and this amount of Rs.13,303/- has been paid to the

applicant. The applicant cannot now claim any further interest on this amount of Rs.13,303/- and in any case if there is any claim, it can be only on the sum of Rs.2,400/-, the original principal which was wrongly shown as withdrawn by the applicant in 1978.

I have heard the learned counsel for the parties and perused the GPF(CS) Rules, 1960 as corrected upto December, 1993. There is a provision in Rule 11 for payment of interest beyond six months also. The respondents have calculated the interest for the period of six months as provided in sub-clause(1) of Rule 11. As far further grant of interest on this amount, there are certain prescribed authorities where prior sanction is required and also the defaulted person has to be pursued for the lapse committed by him in non payment of the GPF amount within a period of six months from the date of retirement. However, we are not concerned with this matter. It was the money of the applicant himself and he is only claiming the monetary benefit incidentally arising by way of interest and bonus on the sum of Rs.2,400/- and the respondents have rightly calculated that interest but there is no reason why the calculation of that interest and bonus was restricted upto October, 1992.

There is no bar for further grant of interest but there is an authority which has to sanction the same.

The contention of the respondent's counsel is that only if at all interest is payable, it can be on amount of Rs.2,400/- but this contention is not acceptable. The amount of Rs.2,400/- from 1978 for all these 16 years would have multiplied atleast double the amount in every 5 years and the benefit the applicant will get by way of interest far less if commercial transaction is taken into account. The money is the only commodity which multiplies by accumulation. Thus, the claim of the applicant for award of interest on the amount of Rs.13,303/- till the date of payment i.e. 1/95 is allowed from November, 1992 onwards at the rate of 12% per annum.

The application is, therefore, allowed with the direction to the respondents to pay to the applicant within 3 months from the date of receipt of this order, interest @ 12% per annum on an amount of Rs.13,303/- till January, 1995. If the amount is not paid within 3 months then the interest shall be liable to be paid also till the date of payment at the same rate i.e. 12% per annum. The order has been dictated in the presence of the counsel for the respondents for sufficient notices for the respondents regarding the relief granted to the applicant. The application is disposed of with no order as to costs.

J.P. SHARMA
(J.P. SHARMA)
MEMBER(J)