

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(3)

O.A. 519/90

Date of decision: 6-9-90

Shri R. Muthuraman

...Applicant

Versus

Delhi Administration

...Respondent

ADVOCATES:

Applicant in person.

Mrs. Ashoka Jain, Counsel ..for the respondents.

CORAM:

Hon'ble Mr. P.K. Kartha, Vice-Chairman(J)

Hon'ble Mr. D.K. Chakravorty, Member(A).

O R D E R

(Order of the Bench delivered by Hon'ble Mr.D.K. Chakravorty, Member(A))

We have heard the applicant and the learned counsel for the respondents. We feel that the present application could be disposed of at the admission stage itself. So, we proceed to do so.

2. The grievance of the applicant, who is presently working as Stenographer Gr. III in the office of the Presiding Officer, Industrial Tribunal and Labour Courts, Tis Hazari, Delhi-110054, ^{is} that the respondents have not allowed him to withdraw the G.P.F. (General Provident Fund) amount standing to the credit of his account. He has stated that the withdrawal from G.P.F. is with a view to meeting legal expenses for which provision exists in the G.P.F. rules.

3. The respondents have vide their letter dated 29.11.89 informed the applicant that his request for

withdrawal from the G.P.F. cannot be acceded to. No reasons have been given in the said letter.

4. The learned counsel of the respondents stated that the applicant has not given a copy of the G.P.F. statement, G.P.F. book and other relevant papers along with his application for withdrawal from the G.P.F. As against this, the applicant states that he has never seen any G.P.F. account book during his twelve years of service and, therefore, the question of his producing G.P.F. account book does not arise.

5. The applicant has annexed at Annexure-'A' to the application at page 5 of the paper book, a copy of the application dated 17.11.89 submitted by him for withdrawal from the G.P.F.. The amount of withdrawal is 3/4ths of the total credit balance lying in his credit in his account. He, however, states that he has never seen the G.P.F. account and he does not know the account number. He further states that every month, certain amounts are being deducted from his pay towards the G.P.F. fund and the respondents would know where it is being credited. The fact that the applicant has not given the account number, should not stand in the way of allowing the withdrawal from the G.P.F. if the withdrawal is otherwise admissible under the G.P.F. Rules. In the facts and the circumstances of the case, we direct the respondents to consider the request of the applicant for withdrawal from the G.P.F. pursuant to his application dated 17.11.89 at Annexure-'A', page-5 of the paper book, in accordance with the relevant rules, and ~~and~~ inspection within a period of one month from the date of receipt of this order. The application is

disposed of at the admission stage itself with the aforesaid directions.

6. There will be no orders as to costs.

D.K.Chakravorty
(D.K. CHAKRAVORTY)

MEMBER (A)

P.K.Kartha
(P.K. KARTHA)

VICE CHAIRMAN

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