

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 25th day of July, 2000

Original Application No. 811 of 1998

District : Allahabad

CORAM :-

Hon'ble Mr. S. Biswas, A.M.

Prem Narain Misra son of Late R.K. Misra,
Resident of 8-A/3, Sheokuti Allahabad.

(Sri Sudhir Kumar/Sri P.K. Kashyap, Advocates)

.... .Applicant

Versus

1. The Union of India
Through C.G.D.A., West Block V,
R.K. Puram, New Delhi-66.
2. The J.C.D.A. (Fund)
Meerut Cant, Meerut.
3. The C.G.D.A. (P),
Allahabad.

(Km. Sandhya Srivastava, Advocate)

.... .Respondents

O R D E R (O_r_d_e_r)

By Hon'ble Mr. S. Biswas, A.M.

Issue made in this case is that an amount of Rs. 40,639/- was deducted at the time of giving retirement benefits to the applicant who retired on 31-7-1997. The applicant's contention is that this amount was deducted without any authority.

Initially it was held that a withdrawal of Rs. 25,000/- has been twice deducted, thus the total amount of ^{workd} _{amt} Rs. 49014/- ⁵³. The applicant's counsel challenges the recovery of Rs. 24,000/-. It has been stated by the

authoirty respondents that the same is interest paid to the G.P.F. ~~again withdrawn~~ at eligible rate. Initially this was contested by the counsel for the applicant but now he is able to understand that there is no duplication regarding recovery of the G.P.F. withdrawn. Learned counsel for the respondents has clarified arithmetically the detail as to how the deduction of Rs. 40,639/- worked out taking final withdrawal of Rs. 25,000/- as basis and since there was an oversight that this amount was withdrawn by the applicant and was not shown in the debit from period from October, 1982 to March, 1986. Consequently, the respondent department was compelled to pay interest on this amount which was not properly shown by oversight in the account. The total amount of interest paid works out to Rs. 24,014/- which has been impugned by the applicant wrongly as total recovery of G.P.F. The respondents' counsel has also clarified with arithmetical detail as to how an amount of Rs. 40,639/- was worked out and deducted from the applicant at the time of grant of pensionary benefits. Consequently, the entire account stands settled and I am of the view that the applicant has no cause of action on this count. The application is dismissed accordingly on merit. No order as to costs.

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Member (A)

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