

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1202 of 1993

Allahabad this the 07th day of February, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)

B.R. Janardana S/o Late Raghunath Iyengar R/o By-
lohalli, Distt.Hassan, Karnatak.

Applicant

By Advocates Shri S.K. Dey
Shri S.K. Mishra

Versus

1. Union of India through the General Manager,
E.Rly.17, Netajee Subhas Road, Calcutta-1.
2. The Chief Personnel Officer, E.Rly. Calcutta-1.
3. The Divisional Railway Manager, E.Rly. Mughals-
sarai.

Respondents

By Advocate Shri A.K. Gaur

O R D E R (Oral)

BY Hon'ble Mr.S.K.I. Naqvi, Member (J)

Shri B.R. Janardan has filed this
O.A. with the prayer for direction to the respon-
dents to make payment of due amount of provident
fund account with ~~due~~ interest thereon and also to
refund the amount of value of N.S.C. ~~of~~ ^{for} Rs.770/-
dated March 15, 1955.

See next pg.2/-

2. As per applicant's case, he entered in Railway service on 01.6.1954 and after serving on different posts, he retired on 30.6.1991 from the post of Operating Superintendent Class II. With other retiral benefits, he has been paid only Rs. 42,792/- as balance in his P.F. account No. 370564. The applicant asserts that this amount should ~~not~~ have been not less than Rs. 1,00,000/- in view of deduction from his salary under this head. The applicant has also mentioned that on completion of training as A.S.M., he was required to deposit the N.S.C. of Rs. 770/- as security money but this amount has not been refunded to him.

3. The respondents have contested the case and have come up with the pleadings that the applicant has been paid the amount of G.P.F. as it ^{due} ~~at balance~~ was ~~deposited by then~~ in his G.P.F. account. Regarding non-payment of security money which was deposited by way of N.S.C. for a sum of Rs. 770/-, the respondents have mentioned that the applicant shall apply through his Branch Officer to Divisional Accounts Officer for getting the matter processed for payment and ~~none~~ of the respondents arrayed in the case are liable to account for this amount.

4. Heard the learned counsel for the applicant as well as the learned counsel for the respondents and perused the record.

5. The applicant has based his claim ~~on the basis of~~ on the amount of G.P.F. paid to the other employees who have served with the respondents and have been paid

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paid G.P.F. for much higher amount. The applicant has pleaded his case on the basis of hypothetical calculations without giving actual amount which he deposited and should have been paid to him under this head of G.P.F. In this matter, the applicant has come up with a case that the amount of G.P.F. paid to him is not in accordance with deposits in this regard and, therefore, there is gross short-payment but has not filed any paper or calculation ⁱⁿ to support thereof. As against it, the respondents have come up with a case that the total balance of amount, as was found on the date of payment, has been paid to the applicant and he is not entitled for any further payment under this head.

6. With the above position in view, I am not inclined to issue direction in this regard, as ^{in respect of G.P.F} prayed for. So far as the payment of security money is concerned, the applicant may approach the proper channel through Divisional Accounts Officer concerned. The O.A. is dismissed with the above observation. No order as to costs.

Sec - m/s

Member (J)

/M.M./