

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL : ALLD BENCH
ALLAHABAD

Dated: ALLD. on this

13th Day of October, 1997.

CORAM Hon'ble Mr S Das Gupta, A.M.

ORIGINAL APPLICATION No.1498 OF 1994.

Smt Anuradha Devi, Widow of Late Shri
 Rama Shankar, at present r/o
 113, Rani Mandi, Allahabad

.... Applicant.

C/A Shri A S Rai

Vs.

- (1) Comptroller Auditor General
of India, New Delhi.
- (2) The Principal Accountant General
Office of the Principal Accountant (A/E) II,
U P ALLAHABAD
- (3) Deputy Accountant General (Works)
Office of the Principal Accountant
General (A/E)-II, U P
Allahabad
- (4) Shri Arun Kumar Srivastava
Section Officer, WM-I
Office of the Principal Accountant General
(A/E)-II U.P., Allahabad

.... Respondents.

C/R Km Sadhana Srivastava

O R D E R

(BY Hon'ble Mr S Das Gupta, A.M.)

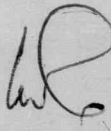
This application has been filed by Smt Anuradha Devi W/o late Rama Shankar, seeking a direction to the respondents to pay to her a sum of Rs.20,000/- being balance of the deposit linked insurance scheme together with interest.

2. The brief facts of the case ^{are} ~~is~~ that the applicant's husband was working in AG's Office and had died in harness on 29.05.1989. The applicant was paid Rs.10,000/- alongwith various other retirement benefits including the amount payable under the deposit linked insurance scheme. Under this scheme, the amount payable was Rs.10,000/- until the relevant rule was amended and the amount was raised to Rs.30,000/- w.e.f. 01.01.1989. The applicant's request having ^{been} turned down, ~~she~~ ^{he} approached this Tribunal seeking

above mentioned relief. During the pendency of this case in the Tribunal, an interim order was passed for payment of actual amount of Rs.20,000/- and the same was paid. Learned counsel for the applicant submitted that only relief which still subsists in this case is payment of interest on the balance amount of Rs.20,000/-.

3. I have carefully gone through the averments in O.A. and C.A. It appears from the averments made by the respondents that the applicant's husband had opted for G.P.F. of the State which was his present cadre. The respondents, therefore, had a doubt as to whether enhanced amount under deposit linked insurance scheme shall be applicable to him or not. It appears that the clarification in this regard was obtained in 1994 and thereafter action was taken to ascertain the amount of deposit for the previous 36 months from the authorities which were maintaining the provident fund account. This took certain time. Thereafter the son of the applicant had also made a claim for the additional amount and it took certain time to verify the legal claimant in this case. In the process, there has been certain amount of delay in the payment of amount of Rs.20,000/-. It has also been seen that the applicant was directed to appear to receive payment but for some reason she could not appear. The cheque sent to her was unfortunately lost in transit and thereafter the cheque was re-issued to her.

4. Keeping in view the facts and circumstances of the case, I am not satisfied that sufficient case has been made to establish that there has been undue delay on the part of the respondents in making payment of balance amount of Rs.20,000/-. The amount of Rs.20,000/- has already been paid and nothing further remains to be paid. The O.A. is accordingly disposed of leaving parties to bear their own costs.


A.M.

/snt/