

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO. 1536 OF 2003
ALLAHABAD THIS THE 29TH DAY OF JANUARY, 2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

Sohal Lal Vaish,
son of Late Shri Shrinath Vaish,
resident of 140/142 Buxi Khurd,
Daraganj, Allahabad.Applicant

(By Advocate Sri Swayambar Lal)

Versus

1. Union of India,
through its Secretary,
Ministry of Defence,
New Delhi - 110011.
2. Director General Ordnance Services (OS.8C)
Army Headquarters, DHQ P.O.
New Delhi-110011.
3. Officer-In-Charge A.O.C. Records,
A.O.C. Record Office,
Secunderabad-500015.
4. Commandant,
Ordnance Depot,
Fort Allahabad-211005.
5. JCDA (Funds) Meerut Cantt.

.....Respondents

(By Advocate Sri R.C. Joshi)

ORDER

By this O.A. applicant has sought the following
reliefs:-

"A) to issue a writ, order or direction to the



respondents to pay the balance amount of G.P.E. of the applicant payable to him amounting to Rs.18,210/- alongwith 18% interest from 1.4.2001 to the date of actual payment to the applicant.

B.) to issue any other writ, order or direction which this Court may deem fit and proper in the circumstances of the case.

C.) Award the cost of the application to the applicant."

2. It is submitted by the applicant that he retired from service on 31.07.2001. Therefore, a sum of Rs.1,24,520.00 was paid to the applicant but balance amount of Rs.18,210.00 has not yet been paid to the applicant inspite of various applications written by him to the respondents. It is further submitted by the applicant that even respondent no.4 has written letter to A.C.D.A. of the J.C.D.A. Funds, Meerut on 06.03.2002 for early settlement of the balance amount of applicant (Page 12) but inspite of that neither any final reply has been given to him nor the said amount has been released to the applicant. Therefore, finding no other option he had to file the present O.A.

3. Counsel for the respondents were seeking time to file reply to the O.A. but at this stage I do not think it proper to call for the reply as respondent no.5 has so far ~~not been~~ given any reply to the applicant either accepting or denying the claim sent by the respondent no.4 to respondent no.5. Perusal of the letter dated 06.09.2003 shows that office of J.C.D.A. Funds Meerut was requested to look into the matter personally and instruct the concerned staff to audit the bill and issue cheque slip without any further delay enabling the Depot for payment of the balance G.P.F. amount to the individual. In these circumstances, I do not see any reason as to why respondent no.5 should simply sleep over the matter when all that they have to do is to audit the bill and to issue the cheque.



4. In order to cut down the unnecessary delay, this O.A. is disposed off at the admission stage itself by giving direction to respondent no.5 to take the final action as per the letter dated 06.09.2003 and after carryout the audit of the bill, release the Cheque to respondent no.4 if it is payable, so that the same could be paid to the applicant without any further delay. This shall be done within a period of two months from the date of receipt of a copy of this order. It goes without saying that applicant shall send certified copy of the order to respondent no.5 through respondent no.4 within three days from the date of receipt of a copy of this order, so that the needful may be done. Since applicant has claimed balance on account of his G.P.F. account, respondents shall also explain as to why delay has taken place. If delay is on account of respondents themselves then applicant shall be entitled to interest i.e. @ of 9% available on G.P.F. amount w.e.f. from the date the amount was due to the applicant till it is actually paid.

5. With the above directions, this O.A. is disposed of at the admission stage itself with no order as to costs.



Member-J

/Neelam/