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CAT/1/12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
~~XXXXXXXXXX~~

O.A. No. 465/
~~XXXXXX~~

1990

DATE OF DECISION 14.3.1991

Shri Kanubhai Naranlal Mehta Petitioner

Mr.D.P.Padhya Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Mr.B.R.Kyada Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr.M.M.S ingh : Administrative Member

The Hon'ble Mr.R.C.Bhatt : Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether it needs to be circulated to other Benches of the Tribunal? *No*

3

Shri Kanubhai Naranlal Mehta,
Room No.2553, Block No.107,
Meghaninagar, Ahmedabad.
(Adv.: Mr.D.P.Padhya)

: Applicant

Versus

Union of India
Through:

1. The General Manager,
Western Railway,
Churchgate, Bombay.
2. The Divisional Railway
Manager, Western Railway,
Jaipur (Rajasthan)

(Adv.: Mr.B.R.Kyada)

: Respondents

O R A L O R D E R

O.A.465/90

Date: 14-3-1991

Per: Hon'ble Mr. M.M.Singh

: Administrative Member

1. In this application filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has sought the redressal of his grievance that an amount of Rs.14315 which is due from the respondents has not been paid to him as heir of the deceased Chandramaniben, his mother who died on 11.12.1987.

2. The applicant is the son of Shri Naranlal Mehta, a railway employee who retired on 17.3.1987 and expired on 15.9.1983. The widow of Shri Naranlal Mehta, Smt.Chandramaniben become entitled to the family pension. The Divisional Accounts Officer, Jaipur vide his No.JP-PP-Sup-Court dated 28.12.87(Annexure A/1) asked the State Bank of India, Ahmedabad to pay her dues. This was followed by the respondents- railway asking the Bank vide their letter No.PEN/05372/E/789/BP/ADI/3705, dated 13.1.88(Annexure A/4) to credit this amount in the accounts of Chandramaniben. It is alleged that though late Smt.Chandramaniben had a Bank account, the amount had not been credited into the account. We notice that the respondents' letter dated 13.1.1988 addressed to the Manager(Main Branch) State Bank of India, Ahmedabad itself mentions that the amount has to be credited in to State Bank of India, Meghaninagar Account No.5207/27. In view of these details appearing

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in the record, we admit the application and ~~pass the~~ following orders. When the matter came up for hearing on admission on 13.2.1991 the following order was made by this Bench.


Take it up M

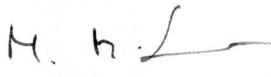
" Adjourned at the request of learned counsel for the respondents to enable him to ascertain the final position from the Bank which according to his statement at the bar, did not release the payment on account of its wrong approach. He also undertakes to, in case and if necessary to arrange to withdraw the amount from the Bank in order to arrange to disburse to the heirs directly so that further delay is not caused. He undertakes to complete this work within one month from the date of this order. A copy of this order may be given to Mr.Kyada, learned counsel for the respondents and Mr.D.P.Padhya, learned counsel for the applicant".

3. ^M ~~drawing~~ ^{owing} There is no dispute about the respondents not drawing the money to the applicant. Even though the respondents has undertaken as mentioned in the ^{above} proceedings, ~~the~~ to complete the work within one month from the date from 13.2.1991, the same has not been done.

4. ^{In the circumstances,} We direct the respondents as follows:-

The respondents are hereby directed to deposit the amount of Rs.14315 into Account No.5207/27 of the State Bank of India, Meghaninagar, Ahmedabad within a period of one month from the date of the receipt of this order which amount is accepted as correct. The respondents are also directed to deposit on this amount interest at the rate of ^{(Eighteen percent) 18} % ^{Me} from the date the amount fall due. The amount of interest shall also be deposited within the above period. There is no order as to costs.


(R.C.Bhatt)
Judicial Member


(M.M.Singh)
Administrative Member