

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR

Date of order : 08.04.2002

O.A. No. 132/2001

Smt. Sundari wife of Shri Mehta Ram Harijan, resident of Banar, Tehsil and District Jodhpur (Raj.), Ex-Safaiwala working under non-applicant No. 3, Station Commander, Station Headquarter (Army), Jodhpur.

... Applicant.

v e r s u s

1. Union of India through Secretary to Government of India, Ministry of Defence (Rakshawa Bhawan, New Delhi).
2. The Officer Incharge, Dy. C.D.A (Fund), Meerut Cantt. 205 001.
3. Station Commander, Station Headquarter (Army), Jodhpur.
4. Area Accounting Officer (Army), Khatipura Road, Jaipur.

... Respondents.

Mr. Babu Lal Bishnoi, Counsel for the applicant.

Mr. Vinit Mathur, Counsel for the respondents.



CORAM:

Hon'ble Mr. Justice O.P. Garg, Vice Chairman

Hon'ble Mr. Gopal Singh, Administrative Member

: O R D E R

(Per Hon'ble Mr. Justice O.P. Garg)

Applicant Smt. Sundari, who was initially appointed as Safaiwala stood superannuated on 30.06.99 on completion of 60 years of age. She was having a GPF Account No. 621637 in which her monthly subscriptions were credited. The applicant took a temporary advance of Rs. 6,000/- out of her GPF amount during the

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year 1989-90 which according to her, was refunded till July, 1993, in instalments of Rs. 200/- per month. By way of final withdrawal, she was paid a sum of Rs. 18,000/-. The grievance of the applicant is that there has been wrong calculation of the outstanding balance of GPF and it has not been paid to her after superannuation. She, therefore, prays that the respondents be directed to pay the closing balance of GPF as on 30.06.1999 which comes to Rs. 30,309/- with interest @ 18% per annum.

2. A detailed reply has been filed. The stand taken by the respondents is that the amount of temporary advance of Rs. 6,000/- out of the GPF account was not debited though it was in fact paid to her. A copy of the Accounting Board Sheet for the year 1989-90 has been filed as Annexure R-1. When the mistake was detected, it was rectified and the closing balance for the year 1996-97 stands reduced accordingly.

3. Heard Shri Babu Lal Bishnoi, learned counsel for the applicant as well as Shri Vinit Mathur, appearing on behalf of the respondents.

4. There is no dispute about the fact that the applicant had taken temporary advance of Rs. 6,000/- from her GPF account in the month of December 1989. She has admittedly paid the said amount in 30 monthly instalments of Rs. 200/- each. The fact that the applicant repaid the amount of Rs. 6,000/- clearly establishes that the applicant did take a temporary advance of Rs. 6,000/-. It so happened that a debit entry of Rs. 6,000/- temporarily advanced to

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the applicant was not made and the balance in the GPF account of the applicant continued as such. Non-debit of Rs. 6,000/- in the GPF account of the applicant for the year 1989-90 not only faulted the credit balance but it also resulted in the accrual of the interest ^{on} ~~of~~ the non-debited amount till the date of superannuation of the applicant. Consequently, when the final account was settled on superannuation of the applicant, a sum of Rs. 6,000/- in respect of which debit entry was not made and another sum of Rs. 11,304/- as interest which accrued and was credited in the account of the applicant upto June, 1999, was rightly deducted at the time of final settlement of the account. The applicant was duly apprised of this position.

5. The applicant, it appears, wants to take advantage of the clerical error which occasioned on account of not making a debit entry of Rs. 6,000/- and earning of interest thereon. The respondents were well within their right to debit a sum of Rs. 6,000/- plus an amount of interest which accrued thereon while finally settling the account on superannuation of the applicant. The prayer made by the applicant in the present OA is misconceived.

6. In the result, we find that the present Original Application is completely devoid of merit and substance. It is accordingly dismissed without any order as to costs.

Gopal Singh
(Gopal Singh)
Adm. Member

O.P. Garg
(Justice O.P. Garg)
Vice Chairman

cvr.

Part II and III destroyed
in my presence on 18-7-97
under the supervision of
Section Officer () as per
order dated 14/7/97

Section Officer (Record)

h/tz
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