

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH : PATNA

Registration No.O.A.-234/95

Date of Order :7.8.1996

Shri Gyanchand Mishra ..... Applicant

Versus

Union of India & Ors. .... Respondents

C O R A M

Hon'ble Mr. K.D.Saha, Member(Administrative)

Counsel for the applicant : Mr. M.P.Dixit

Counsel for the respondents : Mr.Lalit Kishore.

O R D E R

Hon'ble Mr. K.D.Saha, Member(Administrative) :-

Heard Mr. M. P. Dixit, learned counsel for the applicant and also Mr. Lalit Kishore, Additional Standing Counsel for the respondents. The applicant herein retired on 31.12.1991 while working as Assistant Director<sup>(t.u)</sup> in the office of the Director of Census Operation, Bihar, Patna. Admittedly, the applicant has been sanctioned pensionary benefits, namely, pension, gratuity, leave encashment, commutation of pension etc. and the dispute is that the applicant has not received his G.P.F. amount in full. It is submitted that the applicant had been paid Rs.59,614/- being the amount credited in his G.P.F. Account and the prayer in this application is that the further amount of Rs. 11,810/-, which is stated to be due to him, should be paid alongwith interest @18% p.a. Further prayer is for direction to pay Rs.180/- as




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interest over the gratuity amount and Rs. 50,000/- towards the cost.

2. From the averments, the position is not clear as to whether there is proper accountal of the G.P.F. account of the applicant. Claims and Counter Claims are there. Which the applicant submits that the amount mentioned hereinabove is due to him, the submission of the respondents is that the G.P.F. account of the applicant was recast at the time of his retirement and whatever was due, was paid as per rule. It also appears that earlier there were two representations in this regard as at Annexure-A/2 dated 9.6.1992, addressed to the Director of Census Operation, Bihar, Patna (Respondent No.2) and Annexure-A/4 dated 5.8.1992, addressed to the Pay & Accounts Officer, Census (Respondent No.4). These representations were not disposed of and the applicant was not given any reply.


3. Considering the submissions of rival parties and after going through the papers on record, I am of the view that it will be appropriate to give a direction to the Respondent No.4 to look into the matter of the G.P.F. Account of the applicant once again thoroughly and in case, it is found that the amount as mentioned in the O.A. is due to the applicant it should be paid to him at the earliest.



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4. Accordingly, I hereby direct the applicant to submit a fresh representation addressed to the Respondent No.4 within one month from the date of this order, giving details of the amounts which according to him have not been duly credited in his G.P.F. Account, and Respondent No.4, on receipt of such representation from the applicant, shall dispose of the same within two months by a reasoned order enclosing a copy of detailed statement of the G.P.F. Account of the applicant. I further direct that in case the applicant is due any amount the same should be paid to him alongwith interest @ 10% p.a. on the amount due with effect from 1.4.1992 (i.e. 3 months after his retirement). The applicant will be at liberty to approach the Tribunal, if still aggrieved by the reply of the respondents.

The application is disposed of accordingly, with no order as to cost.

  
( K. D. Saha )  
Member (Administrative)

MPS.