

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY.

O.A.No. 198 -
T.A.No. 382 of 1987.

DATE OF DECISION. 26.8.1987

Dr.B.J.Prasad _____ Applicant/s.
_____- Advocate for the Applicant/s.

Versus

Secretary, Ministry of Respondent/s.
Defence, New Delhi & three others.
Shri S.R.Atre for Mr.P.M. Advocate for the Respondent(s).
Pradhan

CORAM:

The Hon'ble Member(A) Shri L.H.A.Rego.
The Hon'ble Member(J) Shri M.B.Mujumdar

1. Whether Reporters of local newspapers may be allowed to see the Judgment? Yes
2. To be referred to the Reporter or not? No
3. Whether to be circulated to all Benches? No

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH
NEW BOMBAY.

Transferred Application No.382/87

Dr. B.J. Prasad,
A/4, Samit, Keshav Nagar,
Ahmedabad 380 027

... Applicant.

Vs.

1. Secretary,
Ministry of Defence (DGDL&C)
South Block,
New Delhi-11.
2. Secretary,
Ministry of Finance (Def),
(CGDA) North Block,
New Delhi-1
3. Controller of Defence Accounts,
Southern Command, Pune. ... Respondents.
4. The Joint Controller of Defence
Accounts Funds,
Meerut.

Coram: Hon'ble Member (A) Shri L.H.A. Rego.

Hon'ble Member (J) Shri M.B. Mujumdar.

Appearances:

Shri S.R. Atre for Shri P.M.
Pradhan for the respondents.

Dated: 26.8.1987

ORAL JUDGEMENT (Per Shri M.B. Mujumdar)

The applicant is not present. We have however, heard Shri S.R. Atre for Shri P.M. Pradhan, the learned advocates for the respondents.

2. The facts relevant for the purpose of this order are as follows: The applicant was serving as a Gazetted Officer in the Defence Lands Cantonment Service, which is a Central Civil Service of the Union of India. He was contributing to the Provident Fund and his Account Number

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was 323813. On 3.10.80, he filed Spec*il* Civil Application No.2716 of 1980 in the High Court of Gujarat at Ahmedabad under article 226 of the Constitution of India. His grievance was that the Respondents had not sent him slips pertaining to his GPF Account from 1974-75 onwards inspite of repeated reminders. He, therefore, prayed that the respondents may be directed to render correct and up-to-date credits in the petitioner's Provident Fund Account.

3. The respondents had filed their reply to the application when the case was in the High Court. They have also filed an additional reply today. Subsequently, the application was transferred to the Central Administrative Tribunal, Ahmedabad Bench. When the application was pending before that Bench, the applicant moved the Chairman of the Tribunal for transferring the application to some other Bench. By an order dated 1.5.87, the Chairman transferred the application to this Bench for disposal according to Law.

4. ~~requested~~ ✓ The applicant has by his letter dated 24.6.87 requesting this Tribunal to decide the application in proper manner. He has sent another application dated 24.7.87 which is numbered as M.P. No.275/87, stating that on 22.7.87 some officers of the respondents handed over to him a crossed cheque for Rs.45,051/- towards payment of his Provident Fund Amount. The officers have also supplied to him the Annual Statement of his Provident Fund Account from 1965-66 onwards. However, the applicant has requested that as he was unnecessarily required to approach the Court at no little cost and inconvenience, he may be given costs as mentioned in the application. He has claimed Rs.180/- towards charges of 18 representations, reminders, etc. which he was required to make, Rs.2,000/- as costs incurred by him in the High Court and in the Central Administrative Tribunal

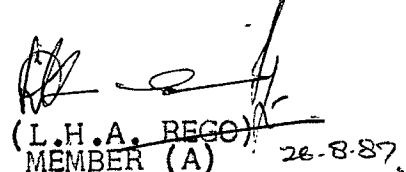
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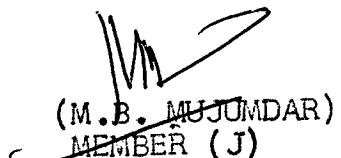
Bench at Ahmedabad and for getting this application transferred to the Bench at New Bombay. He has also claimed damages of Rs.4,000/- on account of loss of market rate of interest on his Provident Fund amount, for mental and social distress, transportation cost for attending the proceedings for about 140 hearings. Thus, the applicant has claimed Rs.6,180/- in all.

5. After considering the replies of the respondents and after hearing Shri S.R. Atre for the respondents, we feel that the applicant deserves to be given some costs. The application filed by the applicant is pending since 1980 for a simple claim of getting the annual statements of Account regarding his Provident Fund. He could not get this relief for a long time for no fault of his. We therefore hold that he deserves to be given cost of Rs.1,000/- from the respondents. With these observations, we pass the following order:

O R D E R

1. As the applicant has received his annual statements as well as amount due to him in his Provident Fund Account, the Transferred Application No.382/87 is disposed of as it does not survive.
2. We direct that the respondents shall pay Rs.1,000/- (Rupees One thousand) as costs of this case to the applicant within three months from the date of receipt of a copy of this order. The M.P. No.275/87 is disposed of accordingly.


(L.H.A. BEGO)
MEMBER (A) 26-8-87


(M.B. MUJUMDAR)
MEMBER (J)