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CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH  
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Original Application No: 642/94.

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DATE OF DECISION: AUGUST 19, 1994.

Shri B. P. Kulkarni, Petitioner

Shri S. P. Saxena, Advocate for the Petitioners

Versus  
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Union Of India & Others Respondent

- Advocate for the Respondent(s)

CORAM :  
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The Hon'ble Shri Justice M. S. Deshpande, Vice-Chairman.

~~The Hon'ble Shri~~

1. To be referred to the Reporter or not ? *no*
2. Whether it needs to be circulated to other Benches of the Tribunal ? *no*

  
( M. S. DESHPANDE )  
VICE-CHAIRMAN.

BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

O.A. NO.: 642/94.

Shri B. P. Kulkarni ... Applicant

Versus

Union Of India & Others ... Respondents.

CORAM :

Hon'ble Shri Justice M. S. Deshpande, Vice-Chairman.

APPEARANCE:

1. Shri S. P. Saxena,  
Counsel for the applicant.

ORAL JUDGEMENT

DATED : 19.08.1994.

{Per. Shri M. S. Deshpande, Vice-Chairman}.

1. The applicant is the husband of Mrs. S. B. Kulkarni, who died on 17.05.1969, leaving behind an infant daughter who was born to her on 06.05.1969, and her husband, the present applicant. The daughter has since attained majority and has been married and she has been receiving pension, payable in respect of the service rendered by the deceased, until she attained majority. The controversy in the present case is only of the payment of GPF amount Rs. 7,161/- (Rupees : Seven thousand, One hundred, Sixty one only) standing in the name of the deceased. Mrs. S. B. Kulkarni died on 17.05.1969 and the amount of G.P.F. would have become payable at that time but that has not since been paid. There is no dispute that this amount is due. The papers regarding sanction

of GPF amount were sent from Nagpur Office to the Pune Office but it was not possible for the respondents to trace them, inspite of the best efforts made by the respondents. This version is supported by the letter at Exhibit A-1 dated 04.05.1993 addressed by the Chief Accounts Officer (TA), Bombay to the Section Office (Pension-T), Government Of India, Department of Telecom, New-Delhi. There has been no appearance (on behalf of the respondents even after service of notice.

2. The interest cannot be allowed because the appellant had not obtained the consent of the other payee i.e. the daughter, who was entitled also to the amount. The respondents are therefore directed to pay an amount of Rs. 7,161.00 together with interest at the rate of 12% per annum from the date of filing of this application till the actual payment. The amount to be paid within two months from the date of communication of this order to the respondents.

3. With the above directions, the O.A. is disposed of with no order as to costs.

  
( M. S. DESHPANDE )  
VICE-CHAIRMAN.