

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 18.11.96

OA 595/96

S.K. Bhargava, Assistant Provident Fund Commissioner, Jaipur.

... Applicant

Versus

1. Union of India through the Secretary, Ministry of Railways, Rail Bhawan, New Delhi.
2. The Divisional Rail Manager, Western Railway, Jaipur.

... Respondents

CORAM:

HON'BLE MR.GOPAL IRISHNA, VICE CHAIRMAN

HON'BLE MR.S.C.VAISH, ADMINISTRATIVE MEMBER

For the Applicant

... Mr.P.N.Jati

For the Respondents

...

O R D E R

PEF HON'BLE MR.GOPAL IRISHNA, VICE CHAIRMAN

Applicant, S.K. Bhargava, has filed this application u/s 19 of the Administrative Tribunals Act, 1985 (for short, the Act), praying therein for payment of interest on the amount of Provident Fund, which was released to him in the year 1988.

2. We have heard the learned counsel for the applicant and have gone through the records of the case carefully.
3. Applicant was appointed as Commercial Inspector in the office of the respondents and his services were thereafter transferred to the Employees Provident Fund Organisation consequent upon his selection by the Union Public Service Commission. During the course of his employment with the respondents he was the member of the Railway Provident Fund and due to the transfer of his services, the respondents were required to transfer the whole amount of GPF together with interest thereon to the Employees Provident Fund Organisation. The respondents have already paid the amount of contribution towards GPF alongwith interest upto February' 1980 in the year 1989. The grievance of the applicant is that since he had received the principal GPF amount with interest upto 29.2.80, after a lapse of 9 years, the respondents are liable to pay interest thereon. It is borne out by Ann.A-1 dated 19.4.95 that the Provident Fund amounting to Rs.4318/- was paid to the applicant under a communication dated 13.6.88 and as such the cause of action in fact accrued to the applicant on 13.6.88. The present application was filed on

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26.9.96, after a lapse of more than 8 years. Subsequent representations, in the circumstances, in our opinion, cannot extend limitation. The present application having been filed beyond the period prescribed by Section 21 of the Act, is hit by the bar of limitation. It is, therefore, dismissed as being time barred.

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(S.C.VAISH)

ADMINISTRATIVE MEMBER

Gopal Mishra

(GOPAL MISHRA)

VICE CHAIRMAN

VK