

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 157 of 2003

Gwalior, this the 25th day of August, 2004

Hon'ble Mr. M.P. Singh, Vice Chairman

Bhanwar Palsingh Jadon Aged about
62 years S/o Late Shri Kanchan Singh
Ex-Upper Division Clerk
Jammu Kashmir Rifles Jabalpur
R/o P-21, Hathital Colony,
Gorakhpur, Jabalpur M.P.

APPLICANT

(By Advocate - Shri V.K. Singh)

VERSUS

1. Union of India,
Through the Secretary,
Ministry of Defence,
South Block
New Delhi 110011
2. The Joint Controller of
Defence Accounts (Funds)
Meerut Cantt. U.P.
3. The Controller of Defence
Accounts Ridge Road,
Jabalpur M.P.
4. The Officer, Commanding
Jammu Kashmir Rifles Abhilekha
Records Office,
Jabalpur M.P.

RESPONDENTS

(By Advocate - Shri K.N. Pethia)

ORDER

By filing this OA, the applicant has sought the following main relief:-

"(ii) After perusal of the documents on record the respondents No.2 and 3 be directed to pay Rs. 41776 to the applicant alongwith interest @ 12 percent interest, being the balance amount of G.P.F."

2. The brief facts of the case are that the applicant was employee of respondent no.4 and retired on superannuation. As per the General Provident Fund (for short 'GPF') statement of account for the year 1999-2000 the respondent no.2 has reflected the closing balance of Rs.1,06,443/- as on 31.3.2000, while settlement of his GPF account vide the impugned order dated 14.5.2001, the respondent no.2 has shown credit balance of Rs.64,667/- deducting an amount of Rs.48,184/- . The applicant made a representation to the respondents on 11.6.2001 stating that he has been paid only Rs.64,667/- out

[Signature]

of closing balance of Rs.1,06,443/-, thus leaving a balance of Rs.41,776/- as per the statement for the year 1999-2000. The respondent no.4 vide his letter dated 20.7.2001 written to respondent no.2, stated that the recovery made of sum of Rs.48,184/- from the GPF of the applicant is incorrect and need to be reconciled. He has also forwarded the GPF statement of account for the year 1971-72 to 1999-2000 (Annexure-A-3). Since the respondents have not paid the full amount of his GPF amount, he has filed this OA.

3.1 The respondents in their reply have stated that the applicant has misled the facts before the Tribunal and put forth a false claim. A balance of Rs.48,184/- and not Rs.41,776 was deducted on account of temporary advances of Rs.1550/-, Rs.3450/-, and Rs.3650/- plus interest thereon drawn by the applicant in the years 1974, 1978 and 1984, as intimated by the record J&K Rifles, Jabalpur under their letter dated 14.8.2002. According to the respondents, the applicant has tried to take advantage of non-entry of the advance drawn by him from the GPF, which is due to the mistake could not be debited in his GPF account. A sum of Rs.48,184/- on account of temporary advances drawn by the applicant - Rs.1550/- in 1974, Rs.3450/- in 1978 and Rs.3650/- in 1984 and other excess credits as shown below-

- (i) 1973-74 : Rs.69/-
 Rs.45/-
- (ii) 1975-76 : Rs.140/-
- (iii) 1977-78 : Rs.50/-
- (iv) 1995-96 : Rs.1000/-

were deducted by the respondents at the time of finalisation of GPF account of the applicant. They have further stated that the 3 advances of Rs.1550/-, Rs.3450/-, & Rs.3650/- drawn by him 1974, 1978 and 1984 shown at serial nos. B, C & D of DO letter dated 14.8.2002 has not been debited due to non-receipt of Debit Schedules whereas recovery on account of refund of advances have been made from the applicant's account and some other excess have also been found credited which have been recovered along with interest at the time of finalisation of the GPF of the applicant.

4. We have given careful consideration to the rival contentions of the learned counsel of both the sides.



5. On our directions, the respondents have produced the written submissions as well as the statement of GPF account in respect of the applicant, which clearly shows that the applicant has taken temporary advances of Rs.1550/- in 1974, Rs.3450/- in 1978 and Rs.3650/- in 1984 which could not be debited in his GPF account due to the mistake of the respondents. Thus the amount of these advances which were not debited from the account of the GPF, have rightly been deducted by the respondents along with interest, at the time of finalisation of his account, when he retired from service. We do not find any illegality in the action taken by the respondents by deducting an amount of Rs.48,184/-.

6. In the result, the OA is dismissed, however, without any order as to costs.


(M.P.Singh)
Vice Chairman

rkv.

पूर्णकरण सं. औ/ज्या..... लखनऊ, दि.....
 उद्दिष्टिति वा विवाह -
 (1) रामेश वर्मा/ज्या..... लखनऊ, लखनऊ
 (2) अमरजीत वर्मा/ज्या..... लखनऊ
 (3) फलता वर्मा/ज्या..... लखनऊ
 (4) लक्ष्मान वर्मा, लखनऊ वर्मा वर्मा
 सचिवा एवं आवश्यक कार्यवाही देतु
.....

✓ 1-9-09