

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 406 of 2003

Jabalpur, this the 27th day of November, 2003

Hon'ble Mr. G. Shanthappa, Judicial Member

K.P. Tiwari, IFS
S/o Shri R.S. Tiwari
Age 63 years
Additional Chief Conservator
Forest (Retd)
H-44-C Apsara Complex, Indirapuram
Sector -1, Bhopal(M.P.)

APPLICANT

(By Advocate - None)

VERSUS

1. The Union of India
Through the Secretary Environment and
Forest Govt. of India CGO Complex
Lodhi Road, New Delhi.
2. State of Madhya Pradesh
Through The Secretary Forest Dept.
Vallabh Bhawan
Bhopal(M.P.)
3. The Principal Chief Conservator
Forest M.P. Satpura Bhawan
Bhopal (M.P.)
4. The Accountant General
M.P. Gwalior

RESPONDENTS

(By Advocate-Shri P.Shankaran for respondents 1 & 4)
None for respondents 2 & 3

O R D E R (Oral)

The above O.A. is filed seeking the relief for issue of mandamus to the respondents to calculate the amount of interest on the PF amount upto the date of actual payment, and to make payment of interest amount of Rs.52,634/- to the applicant. The applicant has further sought a direction to the respondents to make payment of balance amount of PF of Rs.15019/-

2. The case of the applicant is that he retired from Government service on attaining the age of superannuation on 31.10.2000. He was initially appointed on the State Class-II service by direct recruitment on 1.10.1962 and was promoted to the IFS in 1978. As per rules, P.F.contribution was regularly deducted from his salary since September,1967 till the date

Contd... 2/-

of his retirement on 31.10.2000. The GPF Account No.allotted to the applicant by the Accountant General Madhya Pradesh was IFS(NMP)172. The last balance on the date of retirement on 31.10.2000 was Rs.7,02,595/- as per the pass book Annexure-A-1. Along with the OA the applicant has also produced Annexure-A-2 which relates to balance amount towards GPF of Rs.43,792/-. He has also submitted a representation to the respondents requesting for ~~balance~~ ^{payment of} amount and also the interest, on 21.2.2003(Annexure-A-4). Annexure-A-3 is the letter dated 13.2.2003 issued by the Director, State Forest Research Institute, Jabalpur to the AGMP, Gwalior, along with the schedules. The applicant submits that no action has been taken by the respondents on the application submitted by him. The applicant further submits that the first instalment of the amount of GPF amounting to Rs.6,43,783/- was paid to him on 26.4.2001 and after two years another amount of Rs.43,793/- was paid on 26.7.2002 and still the full amount of PF has not been paid to the applicant. Due to this, he was denied interest on the said amount which was due to him as back as on 1.11.2000.

3. Per contra, the respondents have filed their reply contending that subsequent to filing of this OA, the respondents have paid the amount ^{of Rs.10,666/-} ~~vide Annexure-R-2~~ dated 28.7.2003, and Rs.37,531/- on 5.8.2003 ~~vide Annexure-R-3~~. The specific averment made in the reply is that the applicant has already been granted the relief for which he has approached this Tribunal and the entire amount of GPF has been authorised to the applicant. He was also paid interest for 6 months on his GPF amount after retirement. The calculation submitted by the applicant is not correct. Hence, the OA is liable to be dismissed since all the payment has been made to the applicant.

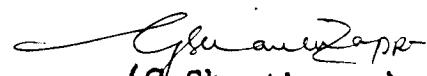
4. Heard the learned counsel ^{for the respondents} and perused the pleadings carefully, and decide the case on ~~merit~~ merits.

5. The contention of the applicant is that he is entitled for the balance amount of Rs.15,019/- and the interest on the

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said amount of Rs.52,634/- as per the calculation in para 4.6 of the OA. The respondents have submitted that they have already paid the amount due to the applicant, according to their calculation. If the applicant has still any grievance regarding the balance amount, he is at liberty to submit his calculation afresh in pursuance to receipt of the amounts as per Annexures R-1, R-2 and R-3, along with a representation. If the applicant submits such a representation to the respondents within a period of 15 days from the date of receipt of a copy of this order, the respondents shall take a decision on the said representation, and decide the same within a period of two months from the date of receipt of the said representation.

6. In the result, the OA stands disposed of in the aforesaid terms. No costs.


(G. Shanthappa)
Judicial Member

rkv.


Shri A.C. Tiwari Adv. J.B.P.
Shri P. Shankaran Adv. J.B.P.
Shri Sanjay Yadav Adv. J.B.P.
J. Leostava
9.12.03