

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 565 of 2003

Jabalpur, this the 3rd day of September, 2004

Hon'ble Mr. M.P. Singh, Vice Chairman  
Hon'ble Mr. Madan Mohan, Judicial Member

Sukhlal, aged about 62 years,  
S/o Late Shri Balbir, R/o House No.746,  
Bapu Nagar, Madras Line, Ranjhi,  
Jabalpur(M.P.)

APPLICANT

(By Advocate - Shri S. Nagu)

VERSUS

1. Union of India through Secretary  
Ministry of Defence, South Block,  
New Delhi.
2. The Officer Commanding,  
755, Sevatantra Parivahan  
Platoon, Sena Seva Corps  
(ASC), 755(i) Transport Platoon,  
ASC(Civil)GT, Jabalpur, (MP)
3. Controller of Defence Accounts,  
(GPF)  
Bangalore  
Karnataka.

RESPONDENTS

(By Advocate - Shri S.A. Dharmadhikari)

O R D E R (ORAL)

By M.P. Singh, Vice Chairman -

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

"8.1 to direct respondents to pay the withheld amount of GPF to the time of Rs.4,900/-  
8.2 direct respondents to pay interest to the applicant on the withheld amount of GPF @ 18% from the date of accrual till realization."  
2. The brief facts of the case are that the applicant was working as a civilian under the Officer Commanding, 755, Sevatantra Parivahan Platoon, respondent no.2. He retired from service with effect from 14.3.1993. During his service tenure as a Driver, the following amounts were not credited to his provident fund account-

*[Signature]*

Contd....2/-

<u>Month &amp; Year</u>	<u>Amount in Rupees</u>
1. GPF for March 1989 (@ Rs.300/-p.m.)	Rs.300/-
2. GPF for May, 1989 & July 89 (@ Rs.300/-pm)	Rs.600/-
3. GPF for June 90 and Feb. 91 (@ Rs.500/-pm)	Rs.1000/-
4. GPF for Aug. 91, Oct. 91, Nov. 91, Dec. 91 & Feb. 92 (@ Rs.500/- p.m.)	Rs.2500/-
5. GPF for Dec. 92	Rs.500/-
	<u>Total Rs.4900/-</u>

The learned counsel for the applicant has stated that although the respondents in para 5 of their reply have stated that the "statement of claim with regard to final settlement of GPF claim was submitted on 1.10.93 by JCDA(Funds), Meerut Cantt. Whereby an amount of Rs.56,451/- (Rupees Fifty-six thousand four hundred fifty-one only) has already been paid to the applicant on 31.12.93. The applicant was fully satisfied with the above amount as he neither represented thereafter or objected to the above settlement at any point of time or pointed out any discrepancies", they have not given the details of the amount of Rs.4900/- as to whether the same has been paid to the applicant while making the final settlement of the GPF amount.

3. On the other hand, the learned counsel for the respondents has contended that the applicant was retired in the year 1993 and he was fully satisfied with the final settlement. For 10 years he has never raised this claim by <sup>making</sup> a representation or otherwise. It is only after the period of 10 years he has filed this OA claiming the amount of Rs.4900/- with regard to GPF settlement.

4. Heard the learned counsel of both the parties.

5. In the facts and circumstances of the case we deem it appropriate to direct the applicant to make a representation to respondent no.2 and also to JCDA(Funds) Meerut Cantt within a period of four weeks from the date of receipt of a copy of this order. If the applicant complies with this order, the respondents are directed to consider the representation of the applicant within three months from the date of its receipt

*[Signature]*

by passing a detailed, reasoned & speaking order and communicate the same to the applicant promptly.

6. In the result, the OA is disposed of in the above terms. No costs.

(Madan Mohan)  
Judicial Member

(M.P.Singh)  
Vice Chairman

rkv.

पृष्ठांकन सं ओऽत्या..... जवलपुर, दि.....  
 प्रतिरिदिति अप्पै दिल्ली  
 (1) संस्कृत विद्यालय नामक संस्कृत विद्यालय, जवलपुर  
 (2) विद्यालय विद्यालय, जवलपुर  
 (3) विद्यालय विद्यालय, जवलपुर  
 (4) विद्यालय विद्यालय, जवलपुर  
 Shri S. Nagu. H.C. J.B.P.  
 Shri S.A. Phanadikar  
 H.C. J.B.P.  
 अप्पै दिल्ली

gssued.

81