

CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH

OA No.264/2005.

Jaipur, this the 4th day of October, 2005.

CORAM : Hon'ble Mr. M. L. Chauhan, Judicial Member.

Amar Chand Sen
S/o Ram Kishore
Aged about 60 years,
R/o 367, Nahargarh Road,
Jaipur.

... Applicant

By Advocate : Shri P. N. Jatti.

Vs.

1. Union of India through
Secretary to the Govt. of India,
Department of Posts, Dak Bhawan,
Sansad Marg, New Delhi.
2. The Chief Post Master General,
Rajasthan Circle,
Jaipur-7.
3. The Senior Superintendent Post Offices,
Jaipur.
4. The Director Accounts (Postal),
Tilak Nagar,
Jaipur-5.

... Respondents.

By Advocate : Shri Hemant Mathur.

: O R D E R :

The applicant has filed this OA thereby praying for the following reliefs :-

"8.1 A suitable writ/order or the direction the impugned order vide Annexure A/1 dated 12.4.2005 be quashed and set aside and the respondent be directed to pay a sum of Rs.27,905/- (rupees Twenty Seven

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thousand nine hundred five) and a fresh sanction be issued after including Rs.27,905.00.

8.2 Any other relief which the Hon'ble Court deems fit."

2. The facts of the case are that the applicant while working as Sub Post Master with the respondents retired on superannuation on 31.3.2005. After the superannuation of the applicant, he was paid GPF amounting to Rs.1,36,328.00/-. The grievance of the applicant in this case is that the amount which was standing in his credit in the GPF account at the time of retirement was Rs.1,64,233/-,whereas, he has been paid a sum of Rs.1,36,328/-, through the sanction of April, 2005. As such, he is entitled to remaining amount of Rs.27,905/-. Thus, he has filed this OA thereby praying for the aforesaid reliefs.

3. The respondents have filed reply. In the reply, it has been stated that at the time of making final payment or issuing authority for final payment of amount deposited in G.P.f., the account of retiree has been reviewed since the date of his entrance as G.P.F. subscriber i.e. the year 1974-75. While reviewing the ledger card of the applicant, it was noticed by the authorities that in the year 1983-84 closing balance of applicant was in minus by Rs.437.35/- due to drawl of G.P.F. advance of Rs.4650/- against balance of Rs.4212/- which was intimated to the applicant in shape of annual statement of G.P.F. during May-June, 1984 but in the year

1984-85 Rs.2656.20/- has been taken as opening balance for the year which caused a difference of Rs.3093.55/-. Hence, the closing balance for the year 1984-85 was increased by Rs.3093.55+Rs.326/- interest thereon. It is also stated that at the end of the financial year 1984-85 a deposit Account Slip was issued to the applicant with increased balance of Rs.3419.55. The respondents have further stated that as per Para 10.58 of Postal Accounts manual vol.I read with Rule 39(2) of C.C.S. G.P.F. Rules, 1964 the D.A. slip issued to the subscriber should be acknowledged by the depositor after checking the balance in slip and if any discrepancy is noticed, he should return it to the Account Officer within 3 months from the date of issue. But, the applicant did not return it and made no efforts to get the error rectified which was in his knowledge.

4. Thus, as per the procedure laid down in Rules, at the time of finalization of the case of the applicant actual amount was calculated since 1974-75 and error in opening balance of the year 1984-85 is corrected thus the amount of Rs.3093.55/- and interest admissible from time to time on the same has been corrected from the final balance of the subscriber applicant which resulted in a total difference from 1984-85 to 2004-05 to Rs.27,905/- and correct/actual amount of sanction arrived at the end of March, 2005 as Rs.1,36,327/-.

100/-

5. Thus according to respondents, the applicant is not entitled to any amount. It is further stated that the applicant was well aware of the increased balance by Rs.3093.55/- in the year 1984-85 itself but he did not bring it to the notice of the answering respondents at the time of receipt of D.A. Slip for the year 1984-85.

6. The Applicant has not filed rejoinder. Learned Counsel for the applicant submits that he may be permitted to check and verify this position as he is not maintaining the account slip for the financial year 1983-84 and 1984-85 and as such, it cannot be precisely stated that the version as submitted by the respondents is correct and for that purpose he submits that the direction may be given to the respondents to allow ~~inspection~~ of the aforesaid account slip.

7. In view of what has been stated above, I am of the view that it will be in the interest of justice if the applicant is permitted to peruse the deposit account slip in respect of GPF amount pertaining to the Financial Year 1983-84 and 1984-85 and for that purpose it will be open for the applicant to make proper representation to the Respondent No.4 where such record is maintained. If such representation is made within a period of two weeks, Respondent No.4 shall allow the inspection of the aforesaid deposit account slip within a period of 15

days. With these observations, the OA is disposed of with no order as to costs.

U. Chauhan
(M. L. CHAUHAN)
JUDICIAL MEMBER

P.C./