

**THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET**

APPLICATION NO.: _____

Applicant(s)

Respondent (s)

Advocate for Applicant (s)

Advocate for Respondent (s)

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
	<p><u>12.02.2007</u></p> <p><u>OA No. 426/2005</u></p> <p>Mr. Amit Mathur, Counsel for applicant. Mr. Anupam Agarwal, Counsel for respondents.</p> <p>Heard the learned counsel for the parties.</p> <p>For the reasons dictated separately, the OA is disposed of.</p> <p> (J.P. SHUKLA) MEMBER (A)</p> <p>AHQ</p>

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

Jaipur, the 22nd day of February, 2007

ORIGINAL APPLICATION NO. 426/2005

CORAM:

HON'BLE MR. J.P. SHUKLA, ADMINISTRATIVE MEMBER

Akhtar son of Shri Mustak aged 48 years, resident of Gali No. 6, Sanjay Nagar Kota. Presently working as Khallasi at Kota.

By Advocate: Mr. Amit Mathur

.....Applicant

Versus

1. Union of India through General Manager, Western Central Railway, Jabalpur, M.P.
2. Sr. Division Accounts Officer, C.A. & C.A.O., Railway Provident Fund, Western Central Railway, Kota Division, Kota.
3. The Chief Works Manager, Western Central Railway, Kota Division, Kota.
4. The Chief Vigilance Officer, Western Central Railway, Jabalpur, M.P.

By Advocate: Mr. Anupam Agarwal

.....Respondents

ORDER (ORAL)

The applicant has filed this OA u/s 19 of the Administrative Tribunal's Act, thereby praying for the following reliefs:-

- "(1) The Original application preferred by the applicant may kindly be allowed and the respondents may be directed to deposit the amount of Rs. 18,500/- in the PF account of the applicant.
- (2) The respondents may be directed to pay interest @ 18% per annum to the applicant on the amount.

Omni

- (3) Any other order or relief which this Hon'ble Tribunal thinks just and proper in the facts and circumstances of the case may kindly be passed in favour of applicant.
- (4) Cost of the original application be awarded in favour of the humble applicant."

2. In brief, facts of the case are that the applicant was posted as Khallasi at Kota. In the year 2001, when the applicant updated his PF Account No. 15663255, he found that an amount of Rs.18,500/- has been withdrawn from his

PF Account illegally by committing his forged signature. The applicant made several representations to conduct an inquiry into the matter. Subsequently, the respondents informed the applicant that they have referred the matter to the Vigilance for the investigation and his case is under investigation with the vigilance. But despite the fact that his matter is pending with the vigilance, he was never called in the inquiry proceeding and was never informed about the status of the inquiry proceedings. Feeling aggrieved by the non action on the part of the respondents, the applicant served a legal notice upon the respondents through his counsel, but no reply was given by the respondents to the legal notice. Hence this OA.

3. The respondents have filed reply to this OA. They have also filed Additional reply subsequently wherein it has been stated that they have deposited Rs.18500/- in the PF account of the applicant in the month of Februry, 2006 by J.S. No. 09 which was received vide Receipt No. 261815 dated 28.02.2006 and Challan No. 858515 dated 01.03.2006.

4. It is an admitted fact that the respondents have deposited a sum of Rs.18,500/- in the PF Account of the applicant. As such the relief No. 1 of the applicant has become infructuous.

5. In so far as relief No. 2 regarding payment of interest is concerned, the respondents are directed to deposit interest in the PF Account of the applicant



within a period of two months from the date of receipt of the copy of this order as if the amount would not have been withdrawn by the applicant.

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



(J.P. SHUKLA)
MEMBER (A)

AHQ