

CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA
OA/050/00803/2017

Reserved on : 07.02.2019
Date of Order : 19.02.2019

C O R A M

HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER

Munrika Devi, Wife of Late Ramdeo Singh, resident of Village-Mathurapur,
P.O. and P.S.-Khagaria, District-Khagaria.

..... Applicant.

- By Advocate: Shri Ajay Kumar

-Versus-

1. The Union of India through the General Manager, East Central Railway, Hajipur.
2. The Divisional Railway Manager, East Central Railway, Sonapur.
3. The General (P), East Central Railway, Hajipur.
4. The Divisional Railway Manager (P), East Central Railway, Sonapur.
5. The Divisional Financial Manager, East Central Railway, Sonapur.
6. The Branch Manager, State Bank of India, Khagaria Bazar Branch, District-Khagaria.

..... Respondents.

By Advocate(s) :- Shri D.K.Verma, Id. ASC.
Shri A.K.Mishra, Id. Counsel for Bank.

O R D E R

Per Mr. Dinesh Sharma, A.M.:- The issue in this case boils down to a claim by the applicant that an amount of Rs. 2,54,654/- has been deducted twice from his retirement benefits. She feels that the Railway Department issued the cheque of salary arrears (amounting to Rs. 3,78,949/-) out of which deducted an amount of Rs. 2,51,624/- that was already paid to the

husband of the applicant as pension from 01.03.2002 to 28.02.2007. She feels that besides this deduction, which has been informed to her by a letter from the Assistant Personnel Officer-cum-Public Information Officer on 28.06.2016, the same amount has also been deducted by the State Bank of India Khagaria Branch from the account of the husband of the applicant. She has prayed the Tribunal to direct SBI (respondent no. 6) to credit this amount Rs. 2,51,624/- with interest.

2. A written statement has been filed on behalf of the Railways in which they have denied the claim of the applicant. They have alleged that they have paid all the dues to the applicant following the directions of this Tribunal in OA No. 426/2004 (since their review petition against this order, a writ before the Hon'ble High Court and also the SLP before the Hon'ble Supreme Court had failed). They have also paid family pension after the death of husband of the applicant. The written statement does not mention anything specifically about a second deduction of the same amount allegedly made by the Bank.

3. No written statement has been filed by the bank despite giving them ample opportunity.

4. After going through the pleadings and hearing the arguments, it is clear that the claim of the applicant is based on a fear that an amount of Rs. 2,51,624/- has been deducted twice. The applicant has not produced any concrete evidence to support this apprehension. The Railway authorities have made it clear that they have made all the payments

correctly. It will not be correct to presume that bank would deduct any amount without any express instructions given to them by the Railway Department. The Railway Department have denied having given such instructions. However, since she is an old widow and a pensioner and since the respondent Bank has not filed any written statement, it would be proper if her apprehension is set at rest by providing her a statement of her bank account for the relevant period. The OA is disposed of by giving direction to Bank to give the petitioner a statement of account for the relevant period to show that no deduction has been made of this amount from the amounts paid to the applicant or her late husband. No order as to costs.

[Dinesh Sharma]
Administrative Member

Srk.