

(31)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA NO.960/2003

New Delhi this the 1st February, 2005

HON'BLE SHRI JUSTICE V.S.AGGARWAL, CHAIRMAN
HON'BLE SHRI S.A.SINGH, MEMBER(A)

Shri S.P.Garg S/o late Shri B.R.Garg,
Aged about 52 years and working as Deputy Director,
Intercom No.3800,
Project Preparation (Central) Directorate,
Central Water Commission,
Ministry of Water Resources,
Sewa Bhawan, R.K.Puram, New Delhi.Applicant.

(By Advocate: Shri Gyan Prakash)

Versus

1. Union of India and Others through
Secretary, Ministry of Water Resources,
Shram Shakti Bhawan,
Rafi Marg, New Delhi-110001. 6. The Supt. of Police
(Anti Corruption Branch)
C.B.I., Block No.4,
C.G.O. Complex, New Delhi
2. Chairman,
Central Water Commission,
Ministry of Water Resources,
Room No.315 (S), Sewa Bhawan,
R.K.Puram, New Delhi-110066.
3. Secretary / Vigilance Officer,
Central Water Commission,
Room No.313 (S), Sewa Bhawan,
R.K.Puram, New Delhi-110066.
4. Pay & Accounts Officer,
Central Water Commission,
Room No. 704 (S), Sewa Bhawan,
R.K.Puram, New Delhi-110066.
5. The Controller General of Civil Accounts,
Ministry of Finance, Department of Expenditure,
7th Floor 'C' Wing, Lok Nayak Bhawan,
Khan Market, New Delhi-11003.Respondents

(By advocate: Shri Madhav Panikar)

ORDER (ORAL)

By Shri Justice V.S.Aggarwal, Chairman

Applicant by virtue of the present application seeks a direction to credit
Rs.272, 475/- in his GPF Account with interest contending that the said amount is
reported to have been drawn in cash, completely bye passing Government Rules.

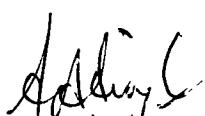
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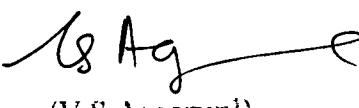
The applicant should not be made to suffer for mistakes or fraud committed by others.

2. We would have gone through the merits of the matter but during the course of submission, it has been pointed that pertaining to the said controversy about withdrawal of this amount, investigation is also being conducted by the Central Bureau of Investigation. Learned counsel for respondents stated that perhaps even challan has been put up but he was not sure about it.

3. Keeping in view the above facts, once the matter pertaining to the said withdrawal is under investigation, the applicant can only apply for crediting the said amount in his GPF Account in accordance with law. He may, if deemed appropriate, therefore, submit an application before the Court of Competent Jurisdiction. In face of aforesaid, it would be appropriate that we are not expressing any opinion on the merits of the matter for and against either party.

With these observations, the OA is disposed of.


(S.A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

Akdr/