

Nirmal Kumar Vs. Sushil Kumar and Others

COPC No.832 of 2024

09.05.2025

Present: Mr. Nand Lal Thakur, Advocate, for the petitioner.

Mr. Tara Chand Chauhan, Advocate, for respondent No.1.

Mr. Rajan Kahol, Mr. B.C. Verma and Mr. Vishal Panwar, Additional Advocates General, with Mr. Ravi Chauhan, Deputy Advocate General, for respondents No.2 & 3.

In terms of order dated 04.04.2025, Mr. Tara Chand Chauhan, learned counsel representing respondent No.1 and learned Additional Advocate General have filed communications dated 07.05.2025 and 02.05.2025, duly signed by Executive Engineer, Jal Shakti Division, Thunag, District Mandi, Himachal Pradesh and Deputy Accountant General (Admn.), respectively.

Perusal of communication dated 07.05.2025, issued by Executive Engineer, Jal Shakti Division reveals that petitioner has been already paid 9% interest on withheld amount, amounting to Rs.16,441/- and same has been released on 24.04.2025. Similarly, communication dated 02.05.2025, issued by Deputy Accountant General (Admn.) reveals that while processing the GPF final payment case, it was revealed that in the year 2001-02, closing balance of GPF account of the petitioner was Rs.18,140/-, however, due to switching over the work from manual system to computerization of GPF in the office of respondent No.1 during the year 2002-03, his GPF balance was

inadvertently fed in the computer system/software as Rs.1,18,140/- instead of Rs.18,140/-, as a result thereof, his GPF balance was inflated drastically to Rs.1,39,554/- with differential amount of more than Rs.1,00,000/-. It is further submitted in the afore communication that against the GPF statement issued in the month of July, 2003 (15.07.2003), the subscriber/petitioner withdrew the GPF amount of Rs.40,000/- immediately in the month of August 2003 and Rs.50,000/- in the month of January, 2004, whereas total amount approximately standing to his credit during the year 2003-04 was Rs.60,000/-. As per aforesaid communication, petitioner is liable to pay the amount, as has been demanded vide recovery notice.

Learned counsel representing the petitioner prays for and is granted one week time to have instructions.

List on 27.05.2025.

May 09, 2025
(*Rajeev Raturi*)

(Sandeep Sharma),
Judge