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CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI.

ORIGINAL APPLICATION NO.581/95

Monday, this the 30th day of August, 1999.

Coram: Hon'ble Shri Justice R.G.Vaidyanatha, Vice-Chairman,
Hon'ble Shri J.L.Negi, Member(A).

Smt.Poonam Mishra,
Flat No.C-5-8/36-C,
Janakpuri,
New Delhi - 400 058.

... Applicant.

Vs.

1. Government of N.C.T. of Delhi
through its Chief Secretary,
5, Alipur Road, Delhi.
2. The Director of Education,
Directorate of Education,
N.C.T. of Delhi Administration,
Old Secretariat, Delhi.
3. The Dy. Director of Education,
Directorate of Education,
N.C.T. of Delhi Administration,
District Central, Bela Road,
Pataudi House, Daryaganj,
Delhi.
4. The Accounts Officer,
General Provident Fund,
N.C.T. of Delhi Administration,
Old Secretariat, Delhi.
5. The Principal,
Government Girls Senior Secondary
School, Padam Nagar,
Delhi.

... Respondents.

ORDER (ORAL)

(Per Shri Justice R.G.Vaidyanatha, Vice-Chairman)

In this application, the applicant is claiming salary for the period from 15.5.1990 to 15.7.1990, for payment of G.P.F. amount of Rs.3,200/- with interest, arrears of pay, C.C.A., H.R.A., Bonus etc. and for other consequential reliefs. The respondents have filed their reply opposing the application. To day, when the case was called out for final hearing counsels on both sides are absent. We have perused the materials on record.

...2.

[Signature]

2. There is serious dispute between the parties about the period between 15.5.1990 and 15.7.1990.

As far as the G.P.F. amount is concerned, the respondents have admitted that the amount is due to the applicant. They say that they have informed the applicant to come and collect the G.P.F. amount, but the applicant has not collected. It is seen that in the reply filed on 11.1.1996 the respondents have offered to make payment of G.P.F. amount. If the applicant does not turn up, the respondents could have sent the amount by cheque to the applicant. Therefore, in the circumstances, the respondents are liable to refund the G.P.F. amount together with interest at 12% p.a. from the date of their reply viz. 11.1.1996 till the date of actual payment.

As far as the applicant's claim for pay, CCA, HRA, Bonus etc, the respondents have admitted that some amount is due to the applicant, but they wanted to verify whether the applicant was employed elsewhere etc. Therefore, it is a fit case in which the respondents should be asked to pay to the applicant whatever amount that is due for the period actually worked by her.

3. In the result, the application is partly allowed with the following directions.

- (1) The respondents should pay whatever G.P.F. amount that is due to the applicant along with 12% interest from 11.1.1996 till the date of actual payment.
- (2) The respondents should pay whatever amount is due to the applicant towards pay, CCA, HRA, Bonus etc. as claimed in the application for the period actually worked by her.

...3.



(3) The respondents should comply with this order within a period of three months from the date of receipt of this order.

(4) No order as to costs.

J. L. Negi
(J.L.NEGI)
MEMBER (A)

R. G. Vaidyanatha
(R.G.VAIDYANATHA)
VICE-CHAIRMAN

B.