

Central Administrative Tribunal
Principal Bench: New Delhi

OA 21/97

New Delhi, this the 21st day of May, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)
Hon'ble Shri K.Muthukumar, Member (A)

Shri Ramesh Chandra Sharma,
s/o Sh. Jagan Nath Prasad Sharma,
R/o 107, Sri Nagar,
Shakur Basti, Delhi.

...Applicant

(By Advocate: Sh. J.K.Gupta)

-Versus-

1. The Director of Education,
Directorate of Education,
Old Secretariat,
Delhi.
2. The Deputy Director of Education,
District West, Karampura,
New Moti Nagar,
New Delhi.
3. Vice Principal, Shri O.P.Vijay,
Govt. Boys Senior Secondary School No.2,
Punjabi Bagh,
New Delhi.Respondents

(By Advocate: Shri Rajinder Pandita)

ORDER(ORAL)
(Dr. Jose P. Verghese, Vice-Chairman (J))

This Original Application has been filed seeking the relief that the applicant has not been paid the monthly salaries and other dues since August, 1995 till the filing of this O.A. This O.A. has been filed in this Tribunal on 23.12.1996. Subsequently, the petitioner stated in his rejoinder that from June, 1996 onwards the payment has been made to him in the month of January, 1997. Thus, the non-payment of salary is only from August, 1995 to May, 1996. The second prayer in this OA is that an appropriate direction may be issued that the respondents should prepare retirement papers so that he may get all the

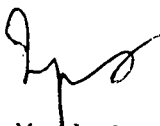
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retirement benefits well in advance. In reply to the show cause notice, the respondents have stated that they have paid the salary due to him in accordance with the Rules. They have also produced an order dated 6/11.4.1996 by which certain periods have been declared 'dies non' under FR 17(1). The petitioner has not challenged this order and as long as the said order stands, order for the remaining period could not have been made by the respondents.


Respondents have also made various allegations against the petitioner in the reply. It is not necessary to rebut any of these facts since the respondents are at liberty to proceed with against the petitioner in accordance with Rules.

With reference to the second prayer namely, that he should get all the retirement benefits, it is directed that the respondents shall give him all the retirement benefits in accordance with Rules, subject to any action, with reference to the facts stated above, that might be taken, before the date of retirement of the petitioner.

With these above directions, this OA is disposed of with no order as to costs.


(K. Muthukumar)
Member (A)

Ahūja


(Dr. Jose P. Verghese)
Vice-Chairman(J)