

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA 261/2000

New Delhi this the 7th day of November, 2000

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Sh. Satya Pal
Ex-Librarian
C-235, Sushant Lok,
Gurgaon (Haryana)

.. Applicant

(Name for the applicant)

Versus

1. Directorate of Education
through its Director,
Delhi Administration,
Old Secretariat, Delhi.

2. Principal,
Govt. Girls Sr. Secondary School,
Shahpur Jat, New Delhi.

.. Respondents

(By Advocate Shri Rajan Sharma, learned
counsel through proxy counsel Sh. Ashwini
Bhardwaj)

O R D E R (ORAL)

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Learned counsel for the respondents pointed out that although initially the respondents have withheld an amount of Rs. 10,000/- on account of outstanding unassessed dues against the applicant, they have now reviewed and recalculated the same. They have now submitted that after review, they need to recover only Rs. 4596/- from the withheld amount and they are ready to pay the balance amount of Rs. 5404/- to the applicant. According to the applicant, the respondents had ^{not} shown him the records at the time of calculating the Income Tax, which did not mention the arrears amount due from him at that time. In the rejoinder filed by the applicant he has contended that if he had been told the correct assessment of

(a)

Income Tax, he could have gone ^{in for} more savings. However, this error has been detected by the Audit Party much later on. He has also stated that no body has bothered for repayment of "Concessed Money" whereas he had been making several requests to the respondents for repayment. He has also referred to the provisions of the CCS (pension) Rules, for write off dues which I do not think are applicable to the facts and circumstances of the present case, as the respondents have submitted that there was an error in the assessment ^{amount} due from the applicant.

The respondents have withheld the amount of Rs.10,000/- in Feb., 1999 and in the counter affidavit filed on 29.6.2000 they have also stated that they are prepared to return the excess amount of Rs.5404/- to the applicant.

2. I have also perused the pleadings and heard Shri Ashwini Bhardwaj, learned proxy counsel for the respondents and considered the claim of the applicant.

3. In the facts and circumstances of the case, the OA is disposed of with the following directions:-

The respondents to pay the balance amount of Rs.5404/- to the applicant immediately, and in any case within two weeks from the date of receipt of a copy of this order with interest at the rate of 10% P.A from 1.3.2000 to 1.7.2000. No costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

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