

53
15/12

OA-2617/2000

FORM NO. 2
CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Report on the Scrutiny of Application

38/08

Presented by: V.K. Malhotra Date of Presentation: 28/4/13
Applicant(s): Gurdial Sharma Group: Govt. NCT
Respondent(s): Retiral benefit
Nature of grievance: One No. of Respondents: 4

CLASSIFICATION

Subject: Retiral benefit (No. 28) Department: NCT (No. 1) * If S.B.

1. Is the application is in the proper form? (three complete sets in paper book form in two compilations). (PROFORMA/COMPILATION)
2. Whether name, description and address of all the parties been furnished in the cause title? Yes
3. (a) Had the application been duly signed and verified? (SIGNED/VERIFIED)
(b) Have the copies been duly signed? Yes
(c) Have sufficient number of copies of the application been filed? Yes
4. Whether all the necessary parties are impleaded? Yes
5. Whether English translation of documents in a language other than English or Hindi been filed? Yes
6. (a) Is the application in time? (See Section 21) Yes
(b) Is MA for condonation of delay filed? Yes
(c) Is the Vakalatnama/Memo of appearance/00 authorisation been filed? Yes
8. Is the application maintainable? (u/s 2,14,18 or U/R 6 etc.)
u/s 2, u/s 14, u/s 18
U/R 6, PT u/s, 25 f11
9. Is the application accompanied by IPO/DD for Rs.50/-?
10. Has the impugned orders original/duly attested legible copy been filed? LEGIBLE/ATTESTED
11. Have legible copies of the annexure duly attested been filed? LEGIBLE/ATTESTED

FILED/PAGINATION

12. Has the index of documents been filed and pagination done properly? ✓
13. Has the applicant exhausted all available remedies? Yes
14. Have the declaration as required by item 7 of Form-I been made? Yes
15. Have required number of envelopes (file size) bearing full address of the respondents been filed? Yes
16. (a) Whether the reliefs sought for, arise out of single cause of action? Yes
- (b) Whether any interim relief is prayed for? Yes
17. In case an MA for condonation of delay is filed, is it supported by an affidavit of applicant? Yes
18. Whether this case can be heard by Single Bench? Yes
19. Any other point?
20. Result of the scrutiny with initial of the Scrutiny Clerk.

The application is in order and may be registered and listed before the Court for admission/orders on ;

- (a) MA for joining - U/R 4(5)(a)/4(5)(b)
(b) MA U/R 6 of GAT Procedure Rules, 1987
(c) PT u/s 25 under At ACT
(d) MA for condonation of Delay

OR

The application has not been found in order in respect at item No(s) mentioned below:

- (a) Item Nos.
(b) Application is not on prescribed size of paper.
(c) MA U/R 4(5)(a)/4(5)(b) has not been filed.
(d) Application/counsel has not signed each page of the application/documents.
(e) MA U/R 6 has not been filed.

The application might be returned to the applicant for rectification of the defects within 7 days.

SCRUTINY CLERK

SECTION OFFICER

JOINT REGISTRAR

COURT NO. SB

DATE 15/12/20

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI.

O.A. OF 2000

OA 2617/2000

SHRI GURDAYAL SHARMA

No

.....APPLICANT

VERSUS

THE LT. GOVERNOR & OTHERS

.....RESPONDENTS

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60-
APPLICANT

(GURDAYAL SHARMA)

THROUGH

V.K. Malhotra

V.K. Malhotra
Advocate
High Court, New Delhi
H-31, Navin Shahdara,
Delhi-32 • Dial : 2283729

6
13 DEC 2000

2645

DELHI

DATED : 14th Dec 2000

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI.

D.A. OF 2000

No-2617/2000

MEMO OF PARTIES

SHRI GURDAYAL SHARMA
S/O SHRI BEHARI LAL SHARMA
R/O H-56, MANSAROVAR PARK,
SHAHDARA, DELHI - 110032.

OR

SCHOOL : CHARAK GOVT. SARVODAYA KANYA VIDYALYA,
DDA FLATS, EAST OF LONI ROAD,
DELHI - 110093.

.....APPLICANT

VERSUS

1. THE LT. GOVERNOR,
16, RAJPUR ROAD,
DELHI (RAJ NIWAS).
2. THE DIRECTOR OF EDUCATION
OLD SECRETARIATE, DELHI ADMINISTRATION,
N.C.T. DELHI.
3. THE DEPUTY DIRECTOR (NORTH-EAST)
B-BLOCK, YAMUNA VIHAR,
DELHI.
4. PRINCIPAL
CHARAK GOVT. SARVODAYA KANYA VIDYALA,
DDA FLATS, EAST OF LONI ROAD,
DELHI - 110093.

.....RESPONDENTS

APPLICANT


(GURDAYAL SHARMA)

THROUGH


(V.K. MALHOTRA)

DELHI

DATED : 14/11/Dec 2000

H-31, NAVIN SHAHDARA,
DELHI - 110032.

(1)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI.

O.A. OF 2000

No. 2617/2000

SHRI GURDAYAL SHARMA

.....APPLICANT

VERSUS

THE LT. GOVERNOR & OTHERS

.....RESPONDENTS

APPLICATION UNDER SECTION 19 OF THE
C.A.T.^{Act}, 1985.

MOST RESPECTFULLY SHOWETH:

1. DETAILS OF THE APPLICATION

A. ORDER AGAINST WHICH THE O.A. IS BEING FILED

h

The O.A. is being filed against the order No. 161 dated 21-11-2000, 25-10-2000, 16-10-2000, 25-08-2000 and 26-06-2000 and so on issued by the Director of Education besides so many others letters issued by the respondents from time to time as well as an FIR lodged against the applicant on 30-12-1999 along with a letter of 16/21-12-1999 in which the applicant has been alleged to get the claim of the LTC under fake and bogus papers. It is submitted that immediately

contd....2

the applicant deposited the amount allegedly to be bogus claim on 23-12-1999 along with the penal interest, inspite of depositing the amount Rs.63,975/- with the treasury with intimation to the Vice Principle of the School, under the orders of the respondents, even then the retiral benefits were withheld without assigning any reason or rhyme. The FIR lodged on 30-12-1999 when the applicant was to retire on 31st December, 1999. Since then the applicant is trying his best to get his retiral benefits released, inspite of the facts that his daughter was to be married just after few days but nothing was heard. The impugned orders are enclosed herewith and marked as Annexure - A.

BRIEF FACTS

The applicant along with two of his colleagues namely Shri M.P. Aggarwal, TGT (Maths) and Shri Raja Ram Sharma, avail^{ed} the LTC in 1998, whereas in the year of 1999 it was alleged that the LTC ~~is~~ availed was bogus and the company did not exist. Hence on 16/21-12-1999 it was order^{ed} to deposit the amount with penal interest amounting

contd....3

to Rs.63,975/-. As Mr. Gurdayal Sharma was to retire on 31st December, 1999, so keeping in view his retirement all the three collectively deposited the money immediately on 23-12-1999 with an intimation to the Vice Principle of the School (Respondent No. 4) and received the receipts from her. Thereafter on 30-12-1999 an FIR was lodged with the police station and the applicant has to take an anticipatory bail from the court for his safety, the criminal proceedings are going on in the court of law against the applicant. Due to this very reason the respondent No. 4 has withheld the retiral benefit altogether, though the orders of the respondent No. 2 of dated 15-12-1992 has been complied with in toto even then the applicant is put to torture and harassment while not releasing the retiral benefits.

B. SUBJECT IN BRIEF

Precisely speaking, the issue is very small that the retiral benefits has been withheld without any reason and rhyme and with a malafide intention the extension of service for the last three months upto March, 2000 was also not granted

contd....4

by the respondents, whereas, at one time the papers regarding the extension beyond the month of December, 1999 to March, 2000 were initiated but with malafide intention subsequently the respondent No. 4 did not extend the service upto March, 2000 and thereby hurriedly relieved the applicant from the school and did not rather inform regarding this extension/re-employment in order to complete the session under the provisions of law issued by the respondents. In this way the applicant was put to a double loss while not releasing his retiral benefits as well as not allowing him to avail the opportunity of re-employment for three months which was his right best ^{known} ~~told~~ by the respondent No. 1 and 2.

It is pertinent to mention over here that when allegedly the bogus amount of LTC was deposited immediately and thereafter there was no reason to punish the applicant for nothing but to torture and harass him inspite of the clear order by the respondent No. 1 and 2 from time to time regarding such like issues.

2. JURISDICTION

The applicant declare that the subject

contd....5

matter against which the applicant want their redressal of his grievances is within the jurisdiction of this Hon'ble Tribunal as both the parties are within the territorial jurisdiction of this Hon'ble Tribunal (PB), New Delhi.

3. LIMITATION

The applicant declare that the application is well within the limitation period under which the relief claimed is a recurring one and is continuing to harm and snatch the continuing benefits day by day. It is further stated that it is under section 21 of the A.T. Act, 1985 being the arrears, retiral benefits and the claim of other such like benefits accrued to the applicant continuously.

4. FACTS OF THE CASE

4.1. Initially the applicant was appointed as LDC with Municipal Corporation of Delhi in short called MCD on 01-04-1964 and thereafter was appointed as Language Teacher with MCD on 04-11-1965 with the continuity of the service.

contd....6

Consequent upon the merger of middle schools with the Directorate of Education, NCT Delhi on 27th May, 1970, the applicant became a Govt. Teacher. Since then he is working in the Directorate of Education, Delhi Administration, Delhi. The appointment letters are enclosed herewith and are collectively marked as Annexure - B.

4.2. The applicant was retired from Charak Govt. Sarvodya Kanya Vidyalaya, DDA Flats, East of Loni Road, Delhi-110093 in short called SKV, DDA Flats, Delhi-110093 attaining the age of superannuation on 31st December, 1999 which was to be continued till the close of session as per the orders of the respondent No. 2. The letters are enclosed herewith and marked as Annexure - C.

As a matter of fact that as the case for re-employment/extension upto the ending of the session i.e. from 1st January to 31st March, 2000, was sent to the respondent No. 2 by the respondent No. 4 on 31st May, 1999 whereas the same was too withheld by the respondent No. 4 with the vindictive nature. The applicant was hurriedly relieved on 31st December, 1999 without giving the

contd....7

benefit of the re-employment as the same was his bonafide right.

4.3. The applicant availed LTC with due permission of the respondents through the traveling agents as Amit Travels (Regd.), Shop No. 16, Sector - 1, Market R.K.Puram, New Delhi-110022 with the permission and dealing with the U.P. Tourism Development Corporation Ltd., a U.P. Govt. Undertaking, Lucknow-226001 submitted the claim and received the full and final payments regarding the LTC claim, all the concerning papers submitted are enclosed herewith and collectively marked as Annexure - D.

4.4. That just before few months earlier, all the post retiral documents were submitted to the respondents, the "NO DUES" certificates was issued and the service period was duly calculated as if there was no deficiency on the part of the applicant. All such relevant documents are enclosed herewith and collectively marked as Annexure - E.

4.5. What happen all of a sudden on

contd....8

21-12-1999 that the applicant received one letter from the respondent No. 3 and 4 that he along with two other teachers Shri M.P. Aggarwal and Shri Raja Ram Sharma, vide their letter No. 5572 dated 16-12-1999 received on 21-12-1999, availed this LTC on bogus paper, hence under rules they are supposed to refund the amount received with penal interest. The calculation of the amount was also given in the letter. The same is enclosed herewith and marked as Annexure - F.

4.6. Any how, it was a thunder bolt from the blue, that just nine days ahead to be retired the applicant along with his both the colleagues immediately deposited the desired amount worth Rs. 63,975/- with the treasury on 23-12-1999 with the receipts obtained from the respondent No. 4 on 23-12-1999 and a challan copy of dated ["]23-12-1999 from the treasury as well as the receipts from the respondent No. 4 are enclosed herewith and collectively marked as Annexure - G.

4.7. That, though the allegedly letter of dated 21-12-1999 of depositing the amount of LTC was immediately complied with and the amount was

contd....9

deposited on 23-12-1999 for the fear of retiral benefits be detained at any time, yet the respondent No. 4 with a malafide intention, or so to say with some vindictive nature filed an FIR No. 365/99 with Police Station, Mansarovar Park (NE) on 30-12-1999, hurriedly without getting any prior permission of the higher authorities under the provisions of law. The applicant was thus had to seek an anticipatory bail from the court of law resultantly the criminal proceedings started against the applicant. Hence a great inconvenient and harassment was caused to the applicant. All the concerning papers are enclosed herewith and collectively marked as Annexure - H.

4.8. That inspite of the best efforts made by the applicant, inspite of the clear orders from the respondents No. 2 dated 15-12-1992 regarding the doubtful LTC claim avail yet the respondent No. 3 and 4 remained adamant in not releasing the retiral benefits to the applicant. It is pertinent to mention over here that there is no enquiry pending against the applicant whereas a "NO DUES" Certificate has already been issued in favour of the applicant on 02-11-1999, which is enclosed herewith and marked as Annexure - I.

contd....10

4.9. Now, there was only one and last alternative left with the applicant to file representations to the respondent and he filed very many representations besides his wife also submitted mercy appeal to the Lt. Governor. Even the applicant met the respondent No. 2 many a times in his own office, the dates and letters have been mention as Annexure - A, yet some of the representations are enclosed herewith and marked as Annexure - J.

5. GROUND FOR RELIEF WITH LEGAL POSITIONS

5.1. Because the retiral benefits like pension, gratuity and other benefits are not a bounty given by the respondents rather or life long earned properties which cannot be denied or cannot be bartered upon in one or the other way. Supreme Court in ratina of cases has imposed heavy costs and penal interest upon the aīring, respondents, just as in some of the land mark judgments :

a) AIR 1985 Supreme Court 356, an interest has been imposed.

contd....11

b) Allahabad High Court in its Judgment on October 30th, 1998 has declared a pension a fundamental right imposed a cost of Rs.50,000/- upon the respondents.

c) Supreme Court in its decision on 1995 Supreme Court Cases (L&S) 13, imposed 18% interest upon the respondents.

5.2. Because the respondent No. 2 had been issuing orders :

a) Through its Pension ^{Cell} Cell, Delhi Administration, Delhi, Old Secretariat Delhi vide No.DE 11(8)/85/Pension/Education/1942-2501 dated 28th August, 1985, "MONITORING SYSTEM to ensure timely payments of dues of retired / expired Govt. employees".

b) Directorate of Education, Pension Cell No.Edn/Pen/89/2006-3311 dated 11-09-1989. In spite of the repeated orders the respondent do not bother to pay the retiral benefits to the employees.

c) Again so many citations can be quoted regarding the non payment of retiring applicants.

contd....12

5.3. As there was a malafide intention on the part of the respondent No. 4 that they did not give any single opportunity to the applicant to be explained but immediately lodged an FIR No. 365/99 with out seeking any prior permission from the respondent No. 2 on 30-12-1999, when whole of the amount with penal interest had been deposited in the treasury, besides a receipt issued from respondent No. 4 which could not satisfy the respondent, hence with held the retiral benefits.

5.4. It was an ill intention on the part of the respondent No. 4 that inspite of the clear instructions dated 15-12-1992 from the respondent No. 2 that a lenient view be taken in the case of a person who deposited the money with penal interest but on the other hand a very unreasonable step was taken by the respondent No. 4 and lodged an FIR with the police station besides with held the retiral benefits.

5.5 Again it was not the applicant who allegedly produced forged bills but it was a Regd. Travel Agency named AMIT TRAVEL AGENCY who allured and did every thing whereas the applicant himself

contd....13

was cheated, if it is proved otherwise , strange enough to say that why the respondent No. 4 has penalised the applicant and withheld his retiral benefits, which no nexus with all these happenings when full and final payments were deposited with penal interest as per orders.

5.6. Because inspite of repeated representations of the applicants to respondents, whereas inspite of some clear directions from the respondent No. 2 but respondent No. 3 and 4 did not move even a single inch from their stand, to release the retiral benefits, still or concealing the vital facts from the officials in connivance with each other of the respondent No. 3 and 4, so with holding the retiral benefits with ulterior motive without assigning any reason and rhyme.

5.7. As in utter haste with some thing vindictive nature the FIR was lodged without prior permission of the respondent No. 2, caused a mental and physical agony to the applicant, which could only quench the thirst of respondent No. 3 and 4, otherwise the claim taken was diffused when the claim taken was paid immediately with

penal interest, hence question does not arise of double punishment or double jeopardy.

5.8. Because the respondents over looked all the instructions and directions of the Govt. of India and the orders of the Hon'ble Supreme Court regarding retiral benefits accrued to the retired persons.

5.9. As there is no enquiry pending against the applicant till date while his retiral benefits can be with held.

6. DETAILS OF THE REMEDIES EXHAUSTED

The applicant undertake that he has exhausted all the remedies available to him under the provisions of law including submitting the representations in writing oral submissions and physical appearance before the respondents at every time and lastly on 21-11-2000 and so on besides which have not been mentioned over here for the sake of brevity but have been kept for ready reference.

7. MATTER IF ANY ALREADY FILED OR PENDING

The applicant further undertake that he


contd....15

has not filed any other ^{application} ~~way~~ in this Tribunal or in any other court of law for the same relief.

8. RELIEF SOUGHT

- i. The retiral benefits including gratuity, pension, commutation amount, leave encashment, CGIES amount, GPF amount and other arrears accrued to the applicant out of this retiral benefits.
- ii. The statutory provisions for extension / re-employment which was denied to the applicant and in lieu of that the payment from January, 2000 to March, 2000 may kindly be paid.
- iii. Please issue orders for the interest at the rate of 18% upon the payments made so late under the Gratuity Act besides a heavy cost under section 35 A CPC may kindly be imposed due to illegal and unlawful steps taken by the respondents.
- iv. Any other relief this Hon'ble Court deems fit in the circumstances of the case.

9. INTERIM RELIEF

 All the relief prayed as earlier be allowed keeping in view the ratio decided by this Hon'ble Tribunal and on the basis of the orders already issued by this Hon'ble Tribunal.

contd....16

10. The applicant desired to be heard in person and through counsel.

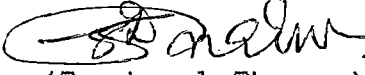
11. PARTICULARS OF POSTAL ORDERS

No. 30/068 dated 13TH Dec 2000 drawn at Alhabad Benara the post office N D C payable at N. D. C in favour of the Registrar P.B. C.A.T. New Delhi for Rs.50/-

12. LIST OF ENCLOSURES

Application with all the annexures which are correct as compared with the original has been filed, postal order Rs.50/-, Vakalatnama, four envelops and four sets of paper book are submitted.


Delhi
Dated : 14/11 Dec 2000 through

Applicant

(Gurdayal Sharma)
V.K. Malhotra
(V.K. Malhotra)
H-31, Navin Shahdara,
Delhi - 110032.

VERIFICATION:

Verified at New Delhi on this 14/11 day of December, 2000 that the contents of the afore said application from paras No. 1 to 12 are correct and true to the best of my knowledge and belief and no material information has been concealed therefrom. The prayer clause is for this Hon'ble Tribunal.

Applicant


(Gurdayal Sharma)
V.K. Malhotra
Adv
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

Ann - #

DIRECTORATE OF EDUCATION
(D.E.'s PERSONAL BRANCH)

No. 161

Date: 21.11.2009

PUBLIC HEARING CASE

1. Name and Designation of the person
2. School/Organisation
3. Grievance/Problem
4. Dates on which you met DDE(Distt.)/JDE/ADDL.D.E. for redressal of grievance
5. Action taken in solving problem/grievance so far
6. Previous reference No. of Public Hearing, if any

Mr. Dayal Sharma Ex. T. & T. (H)
Charak S. K. v. J. & A. file to him R.
East Delhi - 9.3

Requirement of retirement benefits

J. & E. (N.E.) 9.11.2009

Nothing could be done so far

29/10/10/2009

✓
Mr M. K. Khan
to come with his file on 27/11/2009
at 12/30 Noon

one letter
27/11/2009

DD (N.E.)

DIRECTOR OF EDUCATION

T. & A. listed
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

DIRECTORATE OF EDUCATION
(D.E.'s PERSONAL BRANCH)

Date: 25.10.2000

No.

PUBLIC HEARING CASE

1. Name and Designation of the person Sur. Anjal Sharma EX.T.E.T. (Hindi)
2. School/Organisation Sarvedaya Girls Sr. Sec. School, Kirti Puri
3. Grievance/Problem Sheela Devi
Non payment of pension and other benefits.
4. Dates on which you met DDE(Distt.)/JDE/ADDL.D.E. for redressal of grievance 8.8.2000
5. Action taken in solving problem/grievance so far Nothing could be done so far.
6. Previous reference No. of Public Hearing, if any 29/16X2000

✓
He states that file is
under submission to ADDL(A)
from the Dy Branch
pl expedite

25/10

ADDL(A)

DIRECTOR OF EDUCATION

Te Attested
N. K. MALHOTRA
Advocate
Delhi High Court, Delhi

DIRECTORATE OF EDUCATION
(D.E.'s PERSONAL BRANCH)

19

Date: 16.10.2000

A-11

PUBLIC HEARING CASE

1. Name and Designation
of the person

Gur Dayal Sharma, Ex T.T.T. (Himali)
Sardulaya Girls Sr. Sec. School, G.H. La
Loni Rd. East

2. School/Organisation

Requirement of Retirement Benefits.

3. Grievance/Problem

4. Dates on which you met
DDE(Distt.)/JDE/ADDL.D.E.
for redressal of grievance

DDE (N.E.) On 14.8.2000

5. Action taken in solving
problem/grievance so far

Nothing could be done in this regard

6. Previous reference No. of
Public Hearing, if any

14/9.10.2000

DIRECTOR OF EDUCATION

Please look into his case
and let me know on file by
31/10 * He has deposited the
LTC claim on 27/12/99

b. 16 x

DD (N.E.)

20/10/2000

V. K. MALHOTRA
Advocate,
Delhi High Court, Delhi

DIRECTORATE OF EDUCATION
(D.E.'s PERSONAL BRANCH)

Date: 25.08.2000...

No.

PUBLIC HEARING CASE

1. Name and Designation
of the person

Sun Dayal Sharma, Ex. T.G.T. (Hindi)

2. School/Organisation

*Sarvodaya P.S. Sr. Sec. School & S
flat - Loni Road East*

3. Grievance/Problem

Requirement of Retirement Benefits

4. Dates on which you met
DDE(Distt.)/JDE/ADDL.D.E.
for redressal of grievance

: D.D.E. (Distt. H.E.) On 14.08.2000

5. Action taken in solving
problem/grievance so far

No thing could be done in this regard

6. Previous reference No. of
Public Hearing, if any

On 24.7.2000

DIRECTOR OF EDUCATION

Director of Education
Govt. of NCT of Delhi
Old Secretariat

For next Monday

Te. A. K. D. D
ll
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi

*one letter
28/8/2000*

DD (NE)

*✓ May 9 see the file with
my mes dated 26/6
EO to come with file
on 4/9*

24/7

21

A-18

DIRECTORATE OF EDUCATION
(D.E.'s PERSONAL BRANCH)

Date: 26.6.2000

No.

PUBLIC HEARING CASE

1. Name and Designation
of the person

Mr. Jayal Sharma
Retired T.T. (Civ)

2. School/Organisation

Sarvodaya Kanya Vidyalaya
East St.

3. Grievance/Problem

Demand of Retirement benefits

4. Dates on which you met
DDE(Distt.)/JDE/ADDL.D.E.
for redressal of grievance

So many times

5. Action taken in solving
problem/grievance so far

Nothing could be done in this

6. Previous reference No. of
Public Hearing, if any

No. is not given of public hearing

He has retired on 31/12/96
where an already decision is given
the case of bogus LTC claim
Please process the accordingly
and have it settled in 04 weeks

b k b
DIRECTOR OF EDUCATION

DDE (NE)

Rand
28/6/2000

T.C. A.H. Jue
W. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

22

Ann-B

MUNICIPAL CORPORATION OF DELHI
CENTRAL ESTABLISHMENT SECTION

O.O.NO.F5/7/64-CES(C)/111

Dt. 1.4.64

The following approved L.D.C. Candidates are posted as under:-

1. Sh. Satya Prakash Dabas Prosecution Deptt. vice Shri Mohd. Rezwar
L.D.C. On relief Sh. Mohd Rezwar is post
in the office of Executive Engineer V vice
Sh. Anand Singh Jain since resigned from
Mpl. Services.
2. Miss Surindu Kaur Karol Bagh Zone vice Shri Mukand Behari
Bhatia. Lal L.D.C. since promoted as U.D.C.
3. Shri Ramesh Chander. Bldg. Deptt. (Hq.) vice Sh. Mohan Singh
L.D.C. On relief Sh. Mohan Singh L.D.C.
is posted in West Zone vice Sh. B.S.Nanda
L.D.C. since transferred
4. Sh. Hari Shanker. Engg. Deptt. in the office of E.E. (rural)
against the post of L.D.C. lying vacant.
5. Sh. V.T.Mathan. West Zone vice Sh. Manohar Lal L.D.C. since
tendered resignation from Mpl. Services.
6. Sh. Subhas Chandra D.H.O (Medical) vice Shrimati Sarojni Vohra
Sriwastwa. L.D.C. On relief Shrimati Sarojni Vohra
L.D.C. is posted in City North Zone A&C D
vice Sh. J.W.Bhatia L.D.C. since placed
under suspension.
7. Sh. Brij Mohan Mehta. Food Laboratory Health Deptt. vice Sh.
Nizainuddin L.D.C. On relief Sh. Nizainu
is posted in Shahdara Zone vice Sh. Subha
Chander L.D.C. since resigned from Mpl.
Services.
8. Sh. Gurdayal Sharma. ~~D.C. (E)'s office vice Shri Bhim Singh L.D~~
~~since granted leave.~~
9. Sh. Hem Chander Mann. Physical Education Deptt. vice Sh.
Megh Raj Singh L.D.C. On relief Shri
Megh Raj Singh is posted in S.J.T.B.
Hospital vice Shri J.R. Aggarwal L.D.C.
On relief Sh. J. R. Aggarwal L.D.C. is
posted in Slum Deptt. vice Sh. Ravinder
Singh L.D.C. since appointed as Steno
Typist.
Engg. Deptt.
10. Sh. Daya Chand Vats. /In the office of E.E. (Rural) against the
post of L.D.C. lying vacant.

ATTESTED

H.C.ESTT.

Sd: *
(V. CHANDRA)
Asstt. Commissioner

V.K. MALHOTRA
Advocate
Delhi High Court, Delhi

MUNICIPAL CORPORATION OF DELHI.
EDUCATION DEPARTMENT, ADMIN. BOYS

OO.NO. 391/PBC/65-66

DATED : 04-11-1965

As per order of the Education Officer, the teacher is appointed as Language Teacher in the grade of 160-300 in the school shown against their name. He will be drawing the allowances, admissible in the Union Territory of Delhi according to rules and orders prescribed from time to time. He should immediately report for duty to the concerned Head Master, otherwise his appointment can be canceled.

OTHER CONDITIONS OF SERVICE ARE AS UNDER

1. The appointment is purely temporary and can be terminated at any time without telling any cause with a notice of one month, beside the appointing authority has the right to terminate the services within the period prescribed in the notice.
2. The candidate could be posted in any of the school in the MCD.
3. The rest of the conditions will be applicable laid down from time to time.
4. The candidate will have to produce a

contd....2

Medical Certificate from the doctors approved by the MCD.

5. The applicant can be canceled if an adverse report is given by the Police Verification.

6. If the candidate was found concealing some vital information regarding his qualification regarding his/her appointment or educational qualification or otherwise not possession the desired qualification, minimum or maximum, his candidature will be canceled immediately.

7. No conveyance will be paid.

Sd/-

(Dr. J.N.Mathur)

AEU (Admn) Boys

Copies to:

1. Concerned Head Master, 2. Concerned A.O., 3. Concerned Person, 4. Personal file

S.No.	Name & Add.	School where posted	Remark
7.	Gurdayal Sharma,	H.M. MC Primary School, Against Pyare Lal Road, Karol Bagh, Delhi.	Post Vacant

Sd/-

(Dr. J.N.Mathur)

AEU (Admn) Boys

V.K. MALHOTRA

Delhi Hied

25

Ann-C

Charak Govt. Sarvodya Kanya Vidyalya
DDA Flats, East of Loni Road,
Delhi - 110093.

On attaining the age of 60 years Shri Gurdayal
Sharma TGT (Hindi) is being retired from Govt.
Service w.e.f. 31-12-1999 (AN). His date of birth
is 21.12.1939.

No.374-77

Dated : 12.7.99

Copy to :

1. PAO (VIII)
2. Endividual (Shri Gurdayal Sharma)
3. DDE (NE)
4. EO (Zone VI)

Sd/-

Vice Principle, School Stamp

T. C. Malhotra
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi

26

C-1

Charak Govt. Sarvodya Kanya Vidyalya

DDA Flats, East of Loni Road, Delhi-110093

Ref.SKV/44/

Dated:31-8-99

To

The Education Officer, Zone VI,
Directorate of Education,
B Block, Yamuna Vihar,
Delhi.

Sub : Approval for reemployment of Shri
G.D.Sharma.

R/Sir,

I am sending herewith the case of Shri
G.D.Sharma TGT (Hindi) for the approval of the
reemployment since 01-01-2000 to 31-03-2000
because his retirement is on 31-03-1999.

Kindly approve the same and oblige.

Yours

Received

S/d

Sd/-

Vice Principle

06-09-1999

(Smt. Indra Rani)

Sarvodya Vidyalya

Senior Secondary School

DDA Flats, East Loni Road,

Delhi - 110093

T.E. A. A. D.
V.K. MALHOTRA
Advocate
Delhi High Court, Delhi.

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Ann-D

Tel.: (O) 6184311
(R) 5085239
(PP) 5085235



AMIT TRAVELS (Regd.)

(TOUR OPERATORS & TRAVEL AGENTS)

Shop No. 16, Sector 1, Market, R.K. Puram, New Delhi-22

Ref.:

Dated: 27-4-98

It is certify that Sh. G.D. Sharma, Sh. Raj Ram & Sh. M.P. Agarwal with their respective family had travelled by bus No - UP-80C-9515 from Ghaziabad Delhi to Triveni town and back on Dated 15.5.98 to 2.6.98 through our travelling agency.

Per Kishor

T. C. A. [Signature]
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi

उत्तर प्रदेश राज्य पर्यटन विकास निगम लिमिटेड

(उत्तर प्रदेश सरकार का उपक्रम)

दूरभाष : 248349, 245165
निवास : 3, नवल किशोर रोड,
लखनऊ : 220001

C E R T I F I C A T E

Certified that the Vehicle No. U.P. 80-C-95/5 was
owned by us to operate LTC Tours from
Aligarh to Trivendrum and back with effect from
15.5.98 to 2.6.98.

The whole tour was operated by U.P. Tourism Devp. Corp.
Ltd. Lucknow, U.P. not by any Private Party or Individual.

The concerned Employees and their family members
mentioned in the Passengers' List have actually visited the
above mentioned places as per our record and the declaration
given by the concerned Employees.

The fares charged by us from the Passengers have
entered in the Ledger and the Cash Book accordingly.

The fare does not include Boarding and Lodging.

For U.P. TOURISM DEVP. CORP. LTD.

(Signature)
Manager, (Transport)
UPST DE. LUCKNOW

(Signature)
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

OFFICE OF THE REGIONAL TRANSPORT
AUTHORITY, AGRA.

This permit is being issued subject to the condition that Haryana (Punjab) and Rajasthan State Taxes shall be paid at the respective state Boarders).

Form temp "P"

A. I. M. V.
Inland Check Post
MR. T. O. Thane

(See Rule 23-A of the H.P. Motor Vehicles Rules, 1940)

Special Permit No. A01245

Issued under section 63(6) of the Motor Vehicle Act, 1939 Certified that the vehicle bearing

Registration No. UP-30-C-9515
Registered by the registration Authority and owned by:-

S/O
Permanent Address U.P. TOURISM Dev. Camp Lucknow

Covered by Permit No. _____ Valid upto _____

Issued by the Regional Transport Authority AGRA

has been engaged by the person/persons whose particulars are given below:-

Agra, G. Badli, Delhi, Jaipur, Puskar, Udaipur, Nasik, Bombay, Goa, Mangalore, Trivendrum, K. Kumari, Madurai, Mysore, Shirdi, Indore, Gwalior, Mathura, Delhi, G. bad and back to Agra.

This is valid upto 15-5-98 w.e.f. 15-5-98
Certified that in respect of the vehicle mentioned above all taxes and fees payable in this state upto the date of expiry of this permit has been paid.

All Tax at Delhi
This permit is valid throughout India without counter signature by any other Regional State Transport Authority. It shall be produce on demand by any police in uniform.

Dated: 15-5-98
Signature of the Issuing Authority

The validity of this permit is extended upto _____ during this period the party may visit the following places also.

Signature of the Competent Authority

(12) 12/12/1997
(12/12) 12/12/1997
12/12/1997

V. K. MALHOTRA
Delhi High Court, Delhi.

Manager Transport
UPSE DA, ANKUR

उत्तर प्रदेश राज्य पर्यटन विकास निगम लिमिटेड

(उत्तर प्रदेश राज्य पर्यटन विकास निगम लिमिटेड)

D-111

संख्या 248349, 245065

संख्या 3, नया दिल्ली

संख्या 220000

1.	Sh. Jaipal Singh	59	self
2.	Smt. Narmaini Devi	54	wife
3.	Uma Rani	25	Dtr.
4.	Uma Kant	23	son
5.	Sh. KanwarPal Singh	43	self
6.	Smt. Shashi	36	wife
7.	Sh. Rahul Singh	11	son
8.	Ku. Swatu	07	Dtr.
9.	Sh. H. Singh	62	Father
10.	Sh. Jeet Singh	43	self
11.	Smt. Suresh Devi	40	wife
12.	Kr. Sarita	15	Dtr.
13.	Kr. Vinita	13	Dtr.
14.	Sh. Sundeeep Kr.	09	son
15.	Sh. Sanjiv Kr.	07	son
16.	Sh. Balbir singh	38	self
17.	Smt. Maharani	34	wife
18.	Mamta Rani	15	Dtr.
19.	Umesh Kummur	13	son
20.	Madhu	11	Dtr.
21.	Neeraj	09	son
22.	Sh. Gur Dayal Sharma	59	self
23.	Smt. Sharda Devi	56	wife
24.	Km. Suman Lata	24	Dtr.
25.	Km. Geeta Sharma	22	Dtr.
26.	Sh. Ravi Datta	19	son
27.	Sh. Raja Ram	41	self
28.	Smt. Shyam wati	38	wife
29.	Km. Sadha Sharma	17	Dtr.
30.	Sh. Lokesh	13	son
31.	Km. Archana	64	Dtr.
32.	Sh. M.P. Aggarwal	52	self
33.	Smt. Kamla Aggarwal	48	wife
34.	Sh. Amit Aggarwal	19	son
35.	Sh. Udit Aggarwal	15	son
36.	Sh. R.D. Singh	42	self
37.	Smt. Pushpa Devi	38	wife
38.	Mr. Rahul	14	son
39.	Km. Anju	13	Dtr.
40.	Sh. Sunil Kumar	37	self
41.	Smt. Bala Rani	34	wife
42.	Km. Reena	10	Dtr.
43.	Mr. Sachin	03	son
44.	Mr. Anuj	51	son
45.	Sh. Dashaundhi Ram	69	Father
46.	Smt. Rashali	67	Mother
47.	Sh. kanwar Pal	39	self
48.	Smt. Amarwati	32	wife
49.	Sh. Attu singh	63	Father

UP No. 12418 Attached

UP No. 12418 Attached

संभागीय परिषद नया दिल्ली

T. E. A. E. E. E.

N. K. MALHOTRA
Advocate
Delhi High Court, Delhi

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उत्तर प्रदेश राज्य पर्यटन विकास निगम लिमिटेड
(उत्तर प्रदेश सरकार का उपक्रम)

DIV

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20 11 11
1543 220

TENTATIVE TOUR PROGRAMME

FROM : AGRA, G.BAD, DELHI TO TRIVENDRUM

16.5.98	DELHI	to	Jaipur, Puskar	
17.5.98	Pushkar	to	Udaipur	
18.5.98	Udaipur	to	Nasik	
19.5.98	Nasik	to	Bombay	N.Stay
20.5.98	Bombay	to	Goa	
21.5.98	Goa	to	Goa	
22.5.98	Goa	to	Manglore	
23.5.98	Manglore	to	Trivendrum	
24.5.98	Trivendrum	to	Trivendrum	N.Stay
25.5.98	Trivendrum	to	Kanya Kumari	
26.5.98	K.Kumari	to	Madurai	
27.5.98	Maduari	to	Mysore	
28.5.98	Mysore	to	Mysore	N.Stay
29.5.98	Mysore	to	Shirdi	
30.5.98	Shirdi	to	Indore	
31.5.98	Indore	to	Gwalior	
01.6.98	Gwalior	to	Agra, Mathura	
02.6.98	Mathura	to	Delhi, G.bad and back to Agra.	

UP-80-C-4515
S.P. No A-1245

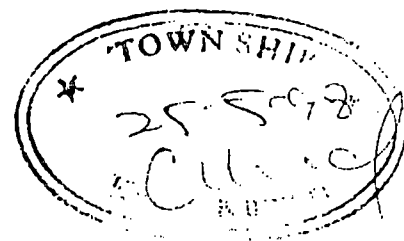
Wishnu
Agra 11/10

No. 02532

Date 25-5-98

INDIA TOURISM DEVELOPMENT
CORPORATION, KOVALAM

BEACH RESORT CAR PARK
PARKING AREA ENTRANCE FEE
BUS / TOURIST BUS
Rs. 25-00



Vehicle No UP-80-C-4515

Approved
LICENCEE
Mr. K. CHANDRAN
VAVAMOOLA
TAMIL NADU
1000 P.M. 10/10/98

Te. Att. Ad
V. K. MALHOTRA
Advocate
Delhi High Court. Delhi.

UTTAR PRADESH TOURISM DEV-CORP LTD

(A U.P. Government Undertaking)



AZ 02014

Serial No.

JOURNEY TICKET

Phones : 248349, 241776
CHITRAHAR
3, Nawal Kishore Road,
LUCKNOW - 226 001

Dated: 15.5.98

Rs. 19,500/- (Rupees nineteen thousand five hundred value
tickets issued to Shri Dr. Dayal Sharma of delhi deptt.
against fare for 5 seats for
the tour from Delhi to Varanasi and back on full payment against cash/cheque.
The journey will start on 15.5.98 and terminate on 2.6.98
@ 3,900/- P. Seat

T. K. Malhotra

V. K. MALHOTRA
Advocate

Delhi High Court, Delhi.

For U.P. State Tourism Development Corp. Ltd.



Whibbes
Authorised Signatory

Note:- Final certificate will be issued after the completion of the journey.

CANCELLATION RULES

1. No refund shall be made on cancellation if, it is applied for within 24 hours of the time of departure of tour.
2. If more than 24 hours notice is given for cancellation then 10% of the ticket value will be deducted and balance will be refunded.



D-11

UTTAR PRADESH TOURISM DEV-CORP. LTD.

(A U.P. Government Undertaking)

Phones : 248349, 241776
CHITRAHAR
3, Nawal Kishore Road,
LUCKNOW - 226 001

AZ 02605

CERTIFICATE

Dated: 26/6/88

Form No

Whereby certified on the basis of our records that Shri/Smt. Gur Dayal Sharma of Govt. of U.P. department had actually travelled on our bus from G. Bad / Delhi to Takenaham at back covering approx 6500 km. distance on Bus No. UP 88-09 Ticket No. A2245 vide ticket No. 02014 dated 15/5/88 at Rs. 19860/- (Rupees Alintoon Thousand Five hundred and 60/-) and final payment of the above tour against 5 seats. The tour started on 15/5/88 and concluded on 2/6/88 operated and conducted by U.P. State Tourism Development Corporation Ltd. (A Govt. of U.P. Undertaking) The name and relation of family members of the employee who travelled are detailed below :-

Name	Age	Relation
Gur Dayal Sharma	57	Self
Sharda Devi	56	Wife
Sunith Kaly Sharma	29	Mr.
Geeta Sharma	22	Wife
Ravi Datta Sharma	18	Son

Official Stamp/Signature

The charges does not include lodging & Fooding.

For U.P. State Tourism Development Corp. Ltd

Whibby

At Lucknow, U.P. 26/6/88
UPST DB, LUCKNOW

Signature
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.



उत्तर प्रदेश राज्य पर्यटन विकास निगम लिमिटेड
U.P. STATE TOURISM DEVELOPMENT CORPORATION LIMITED

D.VII

पत्राक यू.पी. 11-1506

दिनांक 12.11.99

सेवा में,

श्रीमान शिक्षा अधिकारी

{ शिक्षा विभाग } जिला उ.पूर्वी

ब्लॉक यमुना विहार, दिल्ली

विषय :- एल.टी.सी. यात्रा के प्रमाण पत्र को वैधता के संदर्भ में ।

महोदय,

आपका पत्र क्रमांक नं. 4055 दि. 1.10.99 के सम्बंध में निम्नलिखित यात्रियों को यात्रा दिल्ली से त्रिवेन्द्रम दिनांक 15.5.98 से 2.5.98 तक तब नं. यू.पी.-80- सो-9515, को पुष्टि की जाती है

1. श्री गुरदयाल शर्मा	टिकट संख्या 02014	यात्रा प्रमाणपत्र 02005
2. श्री राजा राम	02015	02006
3. श्री हम.पो.अग्रवाल	02017	02001

उपरोक्त व्यक्तियों को उनके द्वारा की गई यात्रा परिणाम स्वरूप हमारे विभाग द्वारा टिकट व यात्रा प्रमाण पत्र जारी किए गए ।

धन्यवाद ।

भवदीय,

{ पर्यटन अधिकारी }

SHARAD K. MALHOTRA
UPSEDA, LUCKNOW

3, नवल किशोर रोड़, लखनऊ - 226 001 उ.प्र. भारत

3, Naval Kishore Road, Lucknow-226 001 U.P. INDIA

:228349, 225165 फैक्स Fax:0091-0522-2

T.C. Attri

V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

Office of the Deputy Director of Education

Confidential

District East Rani Garden, Geeta Colony, Delhi.

175/8/7/97

Performa A for Issue of Vigilence Clearance (Non

Gazzetted Officials)

(Part I School Level)

Name of the School	Charak SKV. DDA Flats Zone VI East of Loni Road, Delhi-110093
1. Name and Designation	Gurdayal Sharma TGT (Hindi)
2. Father's Name	Sh. Behari Lal Sharma
3. Date of appoint.	02-04-1964, Birth 21-12- 1939, Retr. 31-12-1999
4. Date and report of last Vigi. clearance	Cleared on 20-07-1990 Vide letter No. VDXI F a(e) DDE/E/V & C/89- 90/165.
5. Particulars of last NOC Name of foriegn country visited with full detail.	No.
6. Purpose of Vigi. clearance: EB/Promotion /confirmation/others retirement.	
7. Vigilence report at the school level whether DP Pending/contemplated	

contd....2

-2-

/complaint pending (with details) No case pending
at such level.

8. Posting as per service book of the official

S.No.School/Officewhere posted Desg. period of Stay Remarks

1. A. C (E) MCD LDC 02-04-64 to 22-12-64
2. Swami Dayanand Hospital
Shahdara, Delhi. LDC 23-12-64 to 06-09-65
3. MC Primary School (Boys)
Pyare Lal Road, K.Bagh. Asst.Tr. 7.9.65 to 30.6.70
4. MC Boys Middle School
Circular Road, Shahdara TGT (H) 6.11.65 to 30.6.70
5. Govt. Boys Middle Sch.
Circular Road, Shahdara TGT (H) 1.7.70 to 31.7.76
6. Govt. Co-Edu. Sec. Sch.
Vishwas Nagar. TGT (H) 1.08.76 to 20.12.91
7. Govt.Co-Edu.Middle Sch.
DDA Flats, Loni Road East TGT (H) 21.12.91 to 31.03.93
8. Charak SKV DDA Flats
Loni Road East TGT (H) 1.04.93 to till today

Sd/-
Stamp
VP

S.G.S.S.School
DDA Flats, East of Loni Road,
Delhi-110093

EO Zone No. VI
AO (Admn) Distt. E-Delhi

No case is pending as per office record.

Sd/-

DEO VI

Sd/-

T. e. Atal
th
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

02-11-1999

Sarvodya Kanya Senior Secondary School
DDA Flats, East of Loni Road, Delhi-110093

This is to be certified that there is nothing due/out standing towards Shri Gurdayal Sharma TGT (Hindi) retired from service w.e.f. 31-12-1999. During this entire service period w.e.f. 02-04-1964 to 31-12-1999 under the following Heads:-

1. House Building Advance Not taken
2. MCA/Scooter Advance Not taken
3. Income Tax (for 99-2000) Nothing is due for the year 99-2000 income tax will be calculated and deducted if any from the salary for 12/99.
4. Licence fee for govt. accommodation NIL
5. Balance of LTC advance NIL
6. Over payment of pay and allowances NIL
7. Recovery of EOL if any NA
8. Any audit recovery known NO
9. Recovery of subsistence allowance paid in excess during suspension NA
10. Balance of pay and allowances paid in excess during foreign assignment if any.

No, was not

contd....2

assigned for foreign
assignment.

11. Any recorder of MCD

No, he has been
transferred from MCD
and prorata candida-
ture attached.

S/d

Sd/-

Stamp

Stamp

VP

DDO

S.G.S.S.School

S. G. S. S.School

DDA Flats, East Loni

DDA Flats, East Loni Road,

Road, Delhi-110093.

Delhi-110093.

T. e. p. h. t. e. o

V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

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OFFICE OF THE DEPUTY DIRECTOR, DISTT. NORTH EAST,
B BLOCK, YAMUNA VIHAR, DELHI.

OO NO. 5572/Zone VI

Dated: 16-12-99

To

The Vice Principle
Sarvodya Girls School,
East of Loni Road,
Delhi.

Sub : Bogus LTC Claim

Sir,

That the Uttar Pradesh State Tourism Development Corporation Ltd. has declared the LTC claim in respect of Shri M.P. Aggarwal, Shri G.D. Sharma and Shri Raja Ram as bogus. So you are directed to recover the amount with penal interest regarding the LTC Certificate No. 2004, 2005 and 2006.

Sd/-
(L.P. Verma)
DDE (Distt. NE)

OO. No. SKV252/21.12.99

16-12-999

Copy to:

1. Suptt. Vigilence for action u/s CCS CCA 1965
2. Edu Office Zone VI Distt. NE
3. A.O. (Vigilence) Directorate of Education,
Lucknow Road.

S.No.	Name of Teacher	Ppl.Amt.	P.Int.	T.Amt.
1.	Shri G.D. Sharma TGT	Rs.19400/-	Rs.4386/-	Rs.23786/-
2.	Shri M.P. Aggarwal TGT	Rs.15600/-	Rs.3078/-	Rs.18678/-
3.	Shri Raja Ram TGT	Rs.17555/-	Rs.3961/-	Rs.21511/-
Total		Rs.52550/-	Rs.11425/-	Rs.63975/-

Indra Rani Please whole and deposit the entire amount urgently.

T.C. Al...
V.K. MALHOTRA
Advocate
Delhi High Court, Delhi.

Recd on 22/12/99

चलान न०
Challan No. 11

Please indicate whether ☐ रक्षा/Defence ☐ रेलवे/Railway ☐ डाकघर/Post & Telegraphs

खजाना/उप-खजाना में संदत नकद का धारण
भारत के स्टेट/रिजर्व बैंक

Challan of cash paid into Treasury/Sub-Treasury
State/Reserve Bank of India

प्रेषक द्वारा भरा जाए
To be filled in by the remitter

To be filled in by the Departmental Officer or the Treasury

किसके द्वारा निविदत्त किया गया By when tendered	उस व्यक्ति का नाम (या पदाभिधान) और पता जिसकी ओर से धन संदत्त किया गया Name (or designation) and address of the person on whose behalf money is paid	प्रेषण की ओर/या पदाधिकारी की (यदि कोई हो) पूर्ण विवरणियाँ Full particulars of the remittance and/or authority (if any)	रकम Amount	लेखा शीर्षक Head of Account	लेखा आफिसर जिसके द्वारा समायोजन हो सकता है Account Officer by whom adjustable	बैंक का आदेश Order to the Bank
<p>नाम Name</p> <p><i>Indira</i> 23-12-99</p>	<p>D. D. O. Sardodaya Girls Sr. Sec. School D.D.A. Flats, East of Loni Road DELHI-110083</p>	<p>Recovery of T.C. from Sh. G. D. Sharma at Ch. N. P. Aggarwal TGT (M) Ch. Raja Ram TGT (M) Ch. Rajendra Prasad TGT (M) Ch. Rajendra Prasad TGT (M)</p>	<p>63975</p>	<p>AVCL. COMMISSION for Sub-Meal for the year 1999-2000</p>	<p>VIII. G.T. B.N. for the year 1999-2000</p>	<p>तारीख सही है। प्राप्त करने वाले रसीद के साथ धन संयोजन का आदेश देने वाले आफिसर का नाम और पद पदाभिधान Correct, receive and issue receipt. (Signa- ture of the Officer or- dering the money to be paid in).</p>

* रुपयें (शब्दों में)
* (in words) Rupees

प्राप्त संदत्त (शब्दों में) रुपये
Received payment (in words) Rupees:

विभागीय अधिकारी या खजाना अधिकारी की मारफत केवल बैंक को किए जाने वाले प्रेषणों की दशा में प्रयुक्त किया जाए।
To be used only in the case of remittances to the Bank through Departmental Officer of the Treasury Office.

खाजाना अधिकारी
अभिलेखी या जखाने
Treasurer
Agent of the Govt

V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

(4)

Received a sum of Rs. 23,756/- (Rupees 23-1

Twenty Three Thousand Seven Hundred
Eighty Six only) from Sh. G. D. Sharma,

Sd/-
G.D. Sharma
T. C. T. (Hindi) who have deposited the
said money against Recovery of his
L.T.C. with order no. 5572-Z-III dated
16.12.99 of Dy. Dir. (North East), to this
School.

23.12

Indu
D. D. O. 23-12-99
Saryodaya Girls Sr. Sec. School
D.D.A. Flats, East of Lodi Road
DELHI-110003

T. e. Malhotra

V. K. MALHOTRA

Advocate

Delhi High Court, Delhi.

42

G. 11

Receipt

Received a sum of Rs. 23,511/- (Rupees

Twenty three thousand Five Hundred
Eleven only) from Sri. Raja Ram, T.G.T. (9)
in respect of the recovery of his L.T.C. deposited
in compliance of order/letter No 5572-Z-VI
dated 16.12.99 of Dy. Dir. (North) to
this School.

Sri Raja Ram

23.12

Inchamber
D.D.O. 23.12.99

Sarvodaya Girls Sr. Sec. School
G.D.A. Flats, East of Loni Road
DELHI-110093

T. e. A. A. D.
Delhi High Court, Delhi.
Advocate
V. K. MALHOTRA

43
Receipt

G-III

Received a sum of Rs. 18,678/- (Rupees
Eighteen thousand Six Hundred Seventy Eight only)
from Sh. M.P. Aggarwal, T.G.T. (Math) in respect of the
recovery of his L.T.C. deposited with order/dt
No. 5572-Z-VI dated 16.12.97 of Dy. Director (R.G.)
to this school.

23.12.99

D. D. 01

Sarvodaya Girls Sr. Sec. School

O.D.A. Flats, East of Loni Road

DELHI-110093

Q11
33-XII

T.C. Attested

V. K. MALHOTRA
Advocate

Delhi High Court, Delhi.

The Vice Principle/DDO

23-12-1999

Charak Sarvodya Kanya Vidyalya

DDA Flats, Loni Road East,

Delhi - 110093.

Sub : Refund of LTC claim with penal interest
under protest.

R/Madam,

With reference of DDE (NE) office order No.5572 Z VI dated 16-12-1999 in which the LTC claim which were claimed by us are told to be bogus and the orders have been issued to refund the claim with penal interest. To obey the orders of worthy DDE, we are going to deposit the total claim with penal interest Rs.63,975/- (Rupees sixty three thousand nine hundred and seventy five only) under protest, keeping in view that one of us Shri G.D.Sharma is retiring just after a week on 31-12-1999, so that he may be able to avail his retirement benefits in time.

Moreover our LTC claim are right and we have actually performed the journey against the said claim.

Kindly make in convenient to reach the conclusion and oblige.

Thanks

Yours faithfully

1. G.D.Sharma TGT (Hindi) S/d 23-12-1999
 2. M.P.Aggarwal TGT (Math) S/d 23-12-1999
 3. Raja Ram TGT (Hindi) S/d 23-12-1999
- Received S/d Rakesh Kumar 23-12-1999.

T.C. Malhotra
V.K. MALHOTRA
Advocate
Delhi High Court, Delhi

45
A. K. Chandel
In the Court of Shri
Additional Sessions Judge
Shahdara Court Delhi

BAIL

Ann. H

State Vs. 1. G.D. Sharma 2. M.P. Aggarwal

and 3. Raja Ram

F.I.R.No. 365/99

U / Sec. 420/468/471 IPC

P . S . M.S. Park

19.1.2000

19.01.2000: Pre.: Sh.K.N. Sharma, Adv. for the applicants
Sh. B.S. Ken, APP for State

Heard. IO is present. Ld. APP states
that the payment of the L.T.C. ^{amount} stands paid back by the
applicants with interest. In view of the facts and
circumstances of the case, the applicants are admitted to
anticipatory bail and it is directed that in the event of
their arrest, they be released on their executing personal
bonds in the sum of Rs.10,000/- with one surety each in the
like amount to the satisfaction of the IO/SHO concerned
subject to the condition that they shall join the
investigation as and when required.

Announced in the Open Court.

SO
ASJ/19.01.2000.



ATTESTED

Office-Incharge
Shahdara Courts,

T. C. Attal
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

The S.H.O.

23-12-1999

Police Station, Mansarovar Park,
Shahdara, Delhi-110032.

Sub : M/s Amit Travels, Shop No. 16, Sector-1,
Market R.K.Puram, New Delhi-110022. An
FIR lodged against them.

Sir,

That we three teachers Shri G.D.Sharma,
Shri M.P.Aggarwal and Shri Raja Ram dated
15-05-1998 went on LTC Tours through above said
travel agency. The school Vice Principle has
declared this LTC claim as bogus and has recovered
Rs.63,975/- from all the three teachers as
Rs.9500/-, Rs.15600/- and Rs.17550/- respectively
with penal interest, the receipt of the same is
attached herewith.

Sir, the said travel agency has cheated
us and played fraud with us, so please register an
FIR against them and taken an action against them.

Yours

G.D.Sharma Sd/- 23-12-1999

Shri M.P. Aggarwal Sd/- 23-12-1999

copies attached Shri Raja Ram Sd/- 23-12-1999

Received with Charak Sarvodya Girls Vidyalaya
stamps DDA Flats, East Loni Road, Delhi

Sh.Rajerder Singh HC

Duty officer, 23-12-1999.

T.C. Malhotra
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

71.R 47
Permission

Delhi Admn., Directorate of Education, No. F.2/PA/JDE(A)/87/5011-6011,
dated 16.1.1987 from Sh. D.S. Negi, D.E.

Prior permission necessary before handing over any employee to the police.

It has been brought to my notice that in the past some Principals of Schools have handed over their chowkidars to the Police on their own. It is hereby notified for general information that in the event of any suspicion the Principal should get prior permission from the Head of the Department before handing over any employee to the Police on mere grounds of suspicion.

However, in any event which involved the police directly, only an intimation to this effect would be sufficient.

T. e. Att. J. e. 2
16

V. K. MALHOTRA
Advocate

Delhi High Court, Delhi,

Directorate of Education
Delhi Administration, Delhi.
(Vigilance Branch)

No.F3(2)(50)/84/Vigi/21838-22080 Dated: 15.12.92


Circular

Vide this Directorate Circular No. F3(2)(50)/84/Vigi/15798-16798 dated 11/15.4.1985, the teacher and other employees of the Directorate who were involved in FAKE LTC claims, were given an opportunity to voluntarily refund the bogus LTC amount drawn by them along with penal interest, so as to escape criminal proceedings in the court of law.

It has however been observed that a large number of such teachers/employees of the directorate, so involved in Fake LTC claims, for some reason or the other, could not avail the afore said opportunity afforded to them to refund the bogus LTC amount with penal interest and as a result they are still facing the part mental action against themselves.

Keeping in view the large number of such cases pending in the directorate, recently a decision has been taken to take a lenient view in respect of such teachers / employees who have

contd....2


V.K. MALHOTRA
Advocate
Delhi High Court, Delhi.

voluntarily refunded the bogus LTC amount drawn by
them along with penal interest and to let them off
with a minor penalty of "Censure" only.

Now, therefore, it has further been
decided to afford a last opportunity to such
defaulting / employees who have not earlier
availed of the opportunity to refund the bogus LTC
amount drawn with penal interest. They are ad-
vised in their own interest to voluntarily refund
the bogus LTC amount drawn along with penal inter-
est, so as to become entitled for leniency /
Lenient action of only minor penalty of "Censure"
by the disciplinary authority.

Sd/-

(Shakti Sinha)

DE of Delhi

Copy to :

1. All DDE's of Directorate of Education, Delhi
2. All DDO's / Ppls of school under Directorate
of Education.

T.E. Att. the
V.K. MALHOTRA
Advocate
Delhi High Court, Delhi.

Ann - J

The Directorate of Education
Old Sectt. of Delhi.

21-08-2000


A complaint against the officials inspite of the
clear orders from the competent authority.

Sir,

I, along with Shri M.P. Aggarwal and Shri Raja Ram met your goodself on 26-06-2000 regarding our LTC case. On our application, the DDE was directed to finalise our case within one month. Finding no other solution, a month earlier, I met the DDE Sh. B.C. Jindal along with president Shri Jai Prakash Kaushik, Secretary, Shri Surinder Kumar besides other members of the Adhyapak Parishad. The DDE assured that he had sent the file to the AO Vigilance on 18-07-2000, to close the case, vide its diary No. 287, Lucknow Road.

It was informed by the A.O. Lucknow Road, that no file has reached in that office but only one paper of the said diary number has been received which is a paper concerning to Shri G.D. Sharma and his meeting with the DDE on 26-06-2000.

Sir, given to understand that the Ex

 contd....2

Vice Principle Smt. Indra Rani in connivance with the Supdt. (Vigilence) Shri M.K.Kain, Yamuna Vihar has detained the file willfully.

So, you are hereby requested to please to some desired action in this case and oblige, so that I may able save my family from starvation.

Yours

Sd/-

(G.D.Sharma)

Ex TGT (Hindi)

H-56, Mansarovar Park,
Shahdara, Delhi-110032.

Copy to :

1. DDE (NE)
2. AO Vigilence Lucknow Road.

T.C. A.K. Malhotra
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

52

JLi

To

The Lt. Governor,
NCT of Delhi.

Sub : Life long service rewarded in
Anticipatory Bail.

Sir,

My husband Shri Gurdayal Sharma remained a TGT (Hindi) prior to his retirement from Charak Sarvodya Vidyalya, DDA Flats, East Loni Road, Delhi.

In the month of May, 1998, my husband with his fellow colleagues Shri Mahavir Parshad Aggarwal and Shri Raja Ram, with family went on LTC tours from Delhi to Trivendrum with due permission of the School Vice Principle Smt. Indra Rani with advance money and got the remaining balance amount while coming back from the tour. After the gap of one and half year and just before 9 days of his retirement, my husband was asked to deposit the amount he received against LTC with penal interest, with a malafide intention on 21-12-1999. Complying with the orders, the amount was deposited on 23-12-1999, so that no hindrance may come in the way of his peaceful retirement. The amount with penal interest was deposited and a receipt was also taken from the Vice Principle on



contd....2

-2-

23-12-1999 while producing the challans before the School Authorities. Hence under all the circumstances Vice Ppl. immediately on 30-12-1999 lodged one complaint (FIR) with P.S. Mans. Park with ill intention. So they were threatened by the police an anticipatory bail was taken from the court. This complaint was lodged without seeking prior permission of the DE as per rules. My husband retired from service and he has not been paid his retiral benefits till now. So on 9th February, 2000 I was to marry my daughter with a hope to spend some money out of these retiral benefits but could not get. Under the circumstances I had to take money on loan for which I am still paying some huge amount and the retiral benefits are still awaited.

Under all these circumstances my husband cannot even sleep in the nights and some times in the night he shouts like any thing while on some other times he fell down from the cot. Inspite of best efforts there is no result from Education Department. Sir, if under all these circumstances my husband dies, I will have to sacrifices (immolation) my life out side your office.



contd....3

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-3-

Sir, some appropriate action against the V.P. of School may please be taken as she is also facing some of the enquiry proceeding going on against her. I am not only confident but have a full faith in you that some appropriate steps will be taken to release the retiral benefits of my husband.

RTI

Smt. Sharda Wati, w/o Shri Burdayal Sharma

Ex-Retd. TGT (Hindi)

H-56, MSP Shahdara, Delhi-110032

Thanks

Copies attached for kind information to :

1. I/C Vigilance Grievances Cell (Old Scc)
2. DE (Old Scc)
3. DDE (NE B Block Yamuna Vihar)
4. EO Zone VI, Yamuna Vihar.

Sign. obtained

V. K. Malhotra
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

6755
Ann-K
5/1/85
DIRECTORATE OF EDUCATION: PENSION CELL
DELHI ADMINISTRATION: OLD SECTT: DELHI.

No. DE.11(8)/85/Pen/Edu/1942-2501 Dated the 28th August, 1985

To

All the Heads of Schools,
Directorate of Education,
Delhi/New Delhi.

Sub; Monitoring system to ensure timely payments
of dues of retired/expired Govt. employees.

.....

Sir/Madam,

As you are aware, the Govt. of India, Delhi Administration and this office has issued instructions from time to time emphasising the requirement of preparation of pension cases of retiring government officials 2 years in advance from the date of retirement and for the payment of dues viz pension, gratuity, GPF, insurance, leave encashment, commuted value of pension, if any, applied for, within two months from the date of retirement. Similarly, detailed instructions regarding timely finalisation of pensionary benefits for the families of the deceased government servants have issued from time to time. It has however, been observed that these instructions are not being followed in letter and spirit. As a result it has been noticed that a number of cases of retired/deceased government servants remain pending in the offices on account of laxity of proper supervision and lack of monitoring at the school/district level. A large number of complaints from the retiring government officers/officials and members of the families of deceased government servants are being received in the Grievances & Redressal Cell of Delhi Administration for non-payment/delayed payment of these pensionary benefits. Chief Secretary, Delhi Administration, has taken a very serious view of the same. In a number of cases it has been desired that responsibility for such delay be fixed and officers/officials found for the same may be brought to book.

The Secretary (Administrative Reforms), Delhi Administration vide her letter No.F.1/18/85-AR dated 19.7.85 has issued detailed instructions for timely payment of dues of retired/expired government officers/officials (copy enclosed). It has been emphasized

contd.....2/-

in these instructions that the penal interest is to be paid to the retired/deceased government employee, if his dues relating to pensionary benefits are not cleared within two months from the date of retirement and the same is to be recovered from the Head of the Office concerned.

You are, therefore, instructed to go through these instructions carefully and ensure strict compliance with regard to occurrence and maintenance of record and timely action. It may please be noted that any short coming noticed in the matter will be viewed seriously and no delay will be excused.

In case in any particular it is felt that the matter is complicated and require constitution, A.O. (Pension) at the headquarters may be consulted at the earliest.

As earlier advised, you are once again asked to send such cases of all those employees working under you who are going to retire within 5 years regularly within the district concerned on quarterly basis. Information regarding the death of employee working under you must be sent to the concerned district/A.O. (Pension). Within 10 days from the date of receipt of information regarding death.

Yours faithfully,

(Mrs. S. Jindgar)
Addl. D.E. (Admn)/J.D.E. (Fin)

No. DE.11(6)/85/Per/Edu/

Dated the August, 1985

Copy alongwith a copy of instructions forwarded for information and necessary action to:-

1. Joint Director of Education (Admn), Delhi.
2. All the Deputy Directors of Education of the Districts. They are also instructed to maintain proper supervision and control for ensuring strict compliance of the above referred instructions and timely submission of all the returns to A.O. (Pension). A.O. (Accounts) in the Districts may be made nodulo authority for the purpose under intimation to this office.
3. Secretary, Administration, Delhi.
4. Joint Director of Education, Delhi.
5. J.D.E. (Admn), Directorate of Education, Delhi.
6. Joint Secretary (PR), Delhi Administration for information.

(Mrs. S. Jindgar)
Addl. D.E. (Admn)/J.D.E. (Fin)

V. K. MALHOTRA
Advocate
Delhi High Court

NA - relevant
Small off

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(5)

509

Retirement Benefits - Delhi Administration Employees
Streamlining Payments - Monitoring System.

..... that

Introduction: Experience has shown that personal claims of Govt. servants who have spent all their life in the service of the government are not promptly settled on retirement as prescribed by govt. but a very casual attitude in dealing with retirement benefits payable has been visible. The Comptroller & Auditor General has also shown concern in this behalf and the Supreme Court so strongly felt that in the case of State of Kerala and others versus M. Padmenabhan Nair SPL (Civil) No. 9425 of 1984 it was held that "Pension and gratuity are no longer any bounty to be distributed by the Govt. to its employees on their retirement but have become, under the decisions of this Court, valuable rights and property in their hands and any culpable delay in settlement and disbursement thereof must be visited with the penalty of payment of interest at the current market rate till actual payment."

The liability to pay penal interest at the current market rate commences at the expiry of two months from the date of retirement.

In spite of the above, the prevailing conditions do call for remedial measures particularly to ensure timely payment of those who gave their best in the hey days of life in the loyal service of their employer.

The Govt. of India recognising the importance of the matter has in its own wisdom established a separate department for dealing with pensionary matters and for welfare of pensioners.

(6)

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-2-

Retirement Benefits:

On retirement a Government servant is entitled to the following:

- i) Regular monthly payment known as pension and relief thereon for govt. servant; family pension and relief thereon for family of deceased govt. servant.
- ii) Lump sum payment known as Death-cum-Retirement Gratuity.
- iii) Encashment of unutilised earned leave at the credit of govt. servant on retirement.
- iv) Commuted value of 1/3rd pension if the govt. servant applies for commutation.
- v) Accumulation in the saving fund of the UT Govt. Employees Group Insurance Scheme, 1984.
- vi) Accumulation in the CPF Account.
- vii) T.A. to Govt. servant and his family from Head-Quarter to the declared home town or any selected place where he wishes to settle down.

Stages of Action:

The various stages of action to be taken by the 'Head of Office' to ensure timely authorisation of pension/DCR gratuity are listed in Annexure-I. However briefly the action indicators are as hereunder:-

S.No.	Type of action	When to be taken up
1.	To start preparation of pension papers in Form-7 and scrutiny of Service book for completion.	2 years before the date of retirement
2.	To write to the Director of Estates/Secretary PWD for a 'No Demand Certificate.'	1 year before the date of retirement
3.	To send form 5 to the retiree for completion and return with necessary documents.	8 months before the date of retirement
4.	To finalise the verification of entire service, completion of service book and leave account, form-VII, VIII etc.	6 months before the date of retirement

only 4th Feb.

.....3/-

T.C. Ak. Ad

V. K. MALHOTRA
Advocate
Delhi High Court, Delhi

259 Pension Cases

Dte. of Edn., Pension Cell, No. Edn./Pen/89/2006-3311 dated 11.9.89

Pension cases of school officials be processed at school level

After decentralisation of pension work, the pension/family pension cases in respect of the retiring school officials/deceased officials are being processed by the concerned District offices. It has been observed in certain cases that they could not be finalised at appropriate time due to lack of coordination between the District Office and the schools concerned.

In order to streamline the procedure, it has been decided that with immediate effect, the pension/family pension cases in respect of non-gazetted staff will be processed at school level as the Principal/Vice Principal, being the "Head of Office" in respect of Sr. Sec. & Secondary schools respectively, are competent to send the pension cases to Pay and Accounts Offices in view of the provisions of Rule 61 of CCS (Pension) Rules, 1972.

In order to avoid unnecessary delay in the finalisation of pension/family pension cases, the 'Head of Office' viz, the Principal/Vice Principal must ensure that the cases reach the PAOs concerned within the stipulated period.

Any lapse in complying with these orders will be the personal responsibility of the "Heads of School" concerned. The provisional pension will however continue to be authorised by the DDEs concerned.

The above orders issue with the concurrence of Director of Education.

T.E. All-India
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi

CENTRAL ADMINISTRATIVE TRIBUNAL at New Delhi

O.A. NO. 2617 OF 2000

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INDEX

SH. Gurdial Sharma

Petitioner
Appellant

VERSUS

Lt. Governor & OSS.

Respondent

S. No.	Particulars	Court Fee	Pages
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2.	Annexure R-1, Copy of letter dt. 7.12.99		14
3.	Annexure R-2, Copy of letter dt. 27.12.99		15
4.	Annexure - R-3, Copy of letter dt. 20.1.2000		16-18
5.	21.3.2000 & 23.6.2000		19
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प्रधान न्यायाधीश/CAT (PB)
Dated this 9 day of March 2000
Filed Today
9 MAR 2000
दाखिल नं./Filing No: 2278
उप-रजिस्ट्रार/Dy. Registrar

8 day of March 2000

Advocate For

Petitioner/

Respondent

Ch. GEORGE PARACKEN

370 PATIALA HOUSE

NEW DELHI-110001

Off 86/A-5 Humayun Pur

B-5, Safdarjung Enclave

New Delhi-110022

Tel. 6164922

3382685

9/3/2001
V.K. Malhotra
DA

- 1 -

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH : NEW DELHI

O.A. NO 2617 OF 2000

IN THE MATTER OF :-

Shri Gurdayal Sharma ... Applicant

Versus

Lt. Governor & ors. ... Respondents

REPLY ON BEHALF OF THE RESPONDENT

MOST RESPECTFULLY SHOWETH :-

BRIEF FACTS OF THE CASE :-

- 1 That the applicant worked as T.G.T. (Hindi) in Respondent No.4 school. The applicant, alongwith two of his colleagues, namely, Shri M.P. Aggarwal and Sh. Raja Ram Sharma availed the L.T.C. in the year 1998 for the block year 1994-97 which was paid to him on 14.7.98. The applicant was due to retire on superanuation on 31.12.1999. So, the relevant papers relating to his retirement benefits and pension were sent to P.A.O. VIII on 4.10.99 for finalisation of the pension case, so that the timely payment could be made to him. Meanwhile a request

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for

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was received from the Applicant for extension of his service upto March 2000 and the same was sent to the higher authorities for favourable consideration. In the meantime it came to the notice that claim of L.T.C. made by the Applicant was a fake one and same was on the basis of bogus receipts and certificates and not the actual documents from the concerned authorities. U.P. State Tourism Dev. Corp. Ltd. has confirmed that Ticket No. 2014, 2017, 2025 dated 15.5.98 and certificates No. 2005, 2006 & 2001 dated 26.6.98 were bogus. The said Corporation stated that the U.P. State T.D.C. Ltd. used to issue tickets and Certificates through computers only and the above said tickets and certificates which were manual and, therefore, they were bogus. Copy of the letter dated 7.12.99, received from the U.P.S.T.D. Ltd. is annexed herewith as Annexure-R-1.

2. That after the confirmation of the claim as bogus through U.P.S.T. D. Corpn. Ltd, the Dy Director of Education (N.E.) directed the
- Jes

then Vice-Principal to lodge an F.I.R. against the Applicant and others. Further, the Dy. Director directed the then Vice-Principal, the Respondent No. 4 school to recover the amount of the L.T.C. reimbursed to him, with panel interest. On the directions of the Dy. Director (NE) an F.I.R. was lodged on 30.12.1999 with Police Station Mansarovar Park, Shahdara, Delhi, against the applicant along with the other two teachers and same was registered vide F.I.R. No. 365/99. The criminal proceedings are going on in the Court against the applicant along with the other two teachers. Thereafter, recovery was made with penal interest and the amount was deposited in the State Bank of India. Having prior approval of the Head of Department, disciplinary proceedings were initiated against all the above three delinquents under Rules 14 of CCS (CCA) Rule 1965, vide DDE/NE/Vig./99/616/5193 620-623 and 612-615 dated 29.12.99 by the DDE (NE) and same is pending.

Q
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3. That the final amount of G.P.F. was withdrawn by the Respondent from the PAO VIII amounting to Rs. 1,72,972/- and the said amount was paid to the applicant on 8.2.2000 after his the retirement. Due to the disciplinary proceedings pending against the Appellant provisional pension has been fixed by the P.A.O. with the condition that he should submit the un-employment certificate. A copy of the letter dated 27.12.1999 received from the office of the P.A.O. is annexed herewith as Annexure-R-2. Subsequently, the applicant was again reminded to submit the non-employment certificate urgently to the Respondent school vide letters dated 20.1.2000, 21.3.2000 & 23.6.2000 through post, and speed post but the applicant has not submitted the said certificate, and due to non-submission of the non-employment certificate payment of even provisional pension could not be drawn timely. Copies of the letter dated 20.1.2000, 21.3.2000 & 23.6.2000 are annexed herewith as Annexure-R-3(Colly). On 9.11.2000, the Vigilance

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pension

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Department advised that since the applicant was never placed under suspension, non-employment certificate was not required and Provisional Pension payment can be made. A copy of said letter dated 9.11.2000 is annexed herewith as Annexure-R-4. On the basis of the aforesaid Vigilance letter, immediately provisional pension bill for the period from Jan. 2000 to Nov. 2000 was submitted to P.A.O. on 28.11.2000 and a cheque of Rs. 75886/- received by the Respondent school on 1.12.2000. Thereafter, on 1.12.2000 itself a letter through special messenger was sent to the residence of the applicant to collect the cheque of provisional pension after giving the due receipt but the special messenger informed that the applicant was not present and his wife had refused to receive the said letter without the consent of the applicant. A copy of the letter dated 1.12.2000 is annexed herewith as Annexure R-5. Thereafter, the said letter dated 1.12.2000 was sent to the applicant by Registered Post on 3.12.2000 but the same was returned back

[Signature]

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on 4.1.2001 undelivered after a lapse of one month with the nothing that the house was found locked. On 4th Jan. 2001 the applicant talked to Principal of the Respondent No. 4 school on phone at his residence informing him that the date of hearing of the present case filed him in this Hon'ble Tribunal was fixed on 5.2.2001. At the same time, on phone the Principal informed the applicant that his provisional Pension cheque is ready and he may collect the same. But he told the Respondent that he would collect the cheque only in the Court. That on 15.1.2001 again, the Respondent school sent a letter through a special messenger to the applicant asking him to collect the cheque, but the Applicant returned the letter in original with the remarks that he will collect only the full and final amount of the person. A copy of the letter dated 15.1.2001 is annexed herewith as Annexure-R-6. As the departmental disciplinary proceedings are going on against the applicant, till the finalisation of the case, Gratuity & other pensionary benefits could not be finalised

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and paid. Intimation was also received from the Education Officer Zone VI that the application of the applicant for extension service can not be accepted and, thereafter, the applicant was relieved from his duty on superannuation retirement on 31.12.1999.

4. That in view the above facts, it is submitted that the retirement benefits are withheld for valid reasons and there is no malafide intention in doing so. The applicant in his application admitted that at one time the papers regarding the extension beyond the month of Dec. 99 to March 2000 were initiated. But the applicant alleged that the Respondent No.4 did not extend the service upto March 2000 and hurriedly relieved the applicant. This allegation is wrong, false and baseless.
5. That the Applicant is in the habit of not receiving the letters sent to him a different occasion. He has not been collecting the provision pension which was and lying with the Respondent School since 1.12.2000, inspite the fact telephonic and written intimation given to him. The bonus

for the previous year for Rs. 1850/- is also lying uncollected even though he was asked to collected the said amount vide letter dated 19.2.2001, a copy of which is annexed as Annexure-7.

Parawise Reply :

Para 1. In reply to para 1, it is submitted that the then Vice Principal of the Respondent School (Respondent NO. 4) had no malafide intention. If she had any such malafide intentions as alleged, she would not have initiated the case of the applicant for extension of service beyond the month of Dec., 99 to March 2000 and send all the relevant papers for retirement benefits to the P.A.O. The L.T.C. scam came the notice of the respondent in the month of Dec. 1999, so the said benefit of extension in service was not considered fit for approval by the Education Officer. Having come to the notice of Respondent No. 4 about the fake LTC claim, the integrity of the applicant was considered as doubtful. So the said action was neither predetermined nor deliberate or with any malice as alleged.

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Para 2 & 3. Paras 2 and 3 need no reply.

Para 4.1 Averments made in Para 4.1 are matters of record and no reply is needed.

Para 4.2 Averments made in para 4.2 are matters of record. However, it is submitted that it is not a matter of right of the Applicant to get extension in service.

Para 4.3 to 4.5 Paras 4.3 to 4.5 need no further reply in view of the position already explained in the brief history of the case.

Para 4.6 In reply to para 4.6 it is submitted that it is a concocted story of the applicant that the respondent had wilfully made him to deposit the dues, rather his misdeeds led him to do so.

Para 4.7 The averments made in para 4.7 are matters of record and no further reply is needed. However, the allegations made by the applicant against the Respondents are denied.

Para 4.8 & 4.9 In reply to para 4.8 and 4.9, it is submitted that the respondent is not adamant to withhold his retiral benefits, as alleged. Rather the cheque of Provisional pension w.e.f.

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09

1/2000 to 11/2000 was ready which was not collected by the Applicant. It is the applicant who is adamant not to receive the letters and not to give the required non-employment certificate demanded by the P.A.O. The applicant has given reference of circular dated 15.12.1992 and stated that applicant was put to torture and harassment by not releasing the retirement benefits. However, from the scrutiny of records, prima facie, it appears that the applicant deliberately committed the fraud knowing fully well that the circular dated 15.12.92 referred to by the Applicant would come to his rescue. The said circular was issued for the benefit of those persons who have voluntarily refunded the bogus LTC amount. In the case of the applicant, he deposited the amount after the fraud as detected and the applicant was asked to deposit the amount. This case happened in the year 1998 after the lapse of 6 Years from date of issue of the said circular dated 15.12.92, which shows that applicant was aware of this Lacuna that if the LTC claim is highlighted as a fraud case, only penal interest will have to be paid. From this, it means the applicant has pre-planned very

2/2000

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well in order to cheat the Government by claiming bogus L.T.C: claim by arranging fake tickets and certificates for which the Deptt. proposed to hold enquiry against him and others under Rule 14 of CCS(CCA) Rule 1965.

5. Reply to grounds :

5.1 & 5.2 The averments order in para 5.1 & 5.2 are not relevant in the present case.

5.3 & 5.4 The averments made paras 5.3 and 5.4 are absolutely wrong and hence denied. It is specifically denied that the Respondent No. 4 had any malafide intention in the matter.

5.5 & 5.6 The averments made in para 5.5 & 5.6 are disputed matters. The position would be clear only after the Departmental Enquiry and Criminal Case pending against the Applicant are finally disposed of.

5.8 The averments made in para 5.8 are wrong and hence denied.

5.9 That in reply to para 5.9, it is submitted that vide letter No. 612 dated 29.12.1999 issued a Mamorandum to the Applicant proposing an enquiry against the Applicant under

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Rule 14 of the CCS (CCA) Rules 1965, a copy of which is annexed herewith as Annexure-R-8. He was not available in the house and his wife and other family members have refused to accept it without his consent. The said memo was sent to him by Registered post on 31.12.1999 but the same was returned with the remark of the postman that "the applicant had gone to his village". The Applicant was again sent the said letter by another Registered letter on 15.2.2001 and the acknowledgement is still awaited.

Para 6.7 Need no reply.

Para 8-9 In reply to para 8 to 9 it is submitted that the applicant is adamant not to receive the cheque which is ready. The respondents pray not to entertain the petition filed by Applicant and to dismiss the same as the misdeeds of the Applicant led him to this present situation. He may also be directed to receive the cheque for Rs. 75886/- so that the provisional pension could be drawn regularly in future.

Para 10-12 Need no reply.

2/20

Through

New Delhi
Dated : 22.2.2001

370, Patiala House Courts,
New Delhi-110001

RESPONDENT

GEROGE PARACKEN

Advocate

VERIFICATION :-

I, Dr. Prem Prakash, working as Deputy Director of Education (NE) do hereby verify and confirm that the facts mentioned in the above reply are true and correct and nothing material has been concealed therefrom.

Verified on this 28 day of February 2001
at New Delhi.

RESPONDENT

131C-11

गोपनीय / सीबी आधिकारिकता

पत्रांक-54/23/परिवहन-9/99

दिनांक:: 07 दिसम्बर, 99

सेवा में,

वाइस प्रिंसिपल,
चरक सर्वोदय गर्ल्स सी0 से0 स्कूल,
डी0डी0ए0 फ्लैट्स,
ईस्ट आफ लोनी रोड,
दिल्ली-93

ANNEX-R-1

महोदय,

कृपया अपने पत्र सं0-547/SKV दिनांक 29.11.99 का संदर्भ ग्रहण करने का कष्ट करें। जिसके माध्यम से आप द्वारा एल0टी0सी0 भ्रमण से सम्बन्धित कें जर्नी टिकट संख्या 2014, 2017, 2025 दिनांक 15.05.98 एवं सार्टिफिकेट संख्या 2005, 2001, 2006 दिनांक 26.06.98 की फोटोप्रति भेजकर इस कार्यालय से सत्यापन मांगा गया है। जो श्री गुरू दयाल शर्मा, श्री एम0पी0अग्रवाल एवं श्री राजाराम के पक्ष में हैं।

पत्र में अंकित विवरण एवं संलग्न फोटो प्रतियों का कार्यालय अभिलेखों से मिलान करने पर ज्ञात हुआ कि यह टिकट व सार्टिफिकेट इस कार्यालय से जारी नहीं किये गये हैं। अतः यह टिकट व सार्टिफिकेट फर्जी एवं गलत है। क्योंकि वर्ष 95 से निगम द्वारा जर्नी टिकट व सार्टिफिकेट कम्प्यूटर द्वारा जारी किये गये हैं। जबकि संलग्न टिकट व सार्टिफिकेट मैनुवल है। साथ ही आपसे अनुरोध है कि फर्जी क्लेम पास न होने पाये इसलिये उचित होगा कि इस निगम के नाम से जितने क्लेम आपके कार्यालय में जमा है, या प्रस्तुत किये जाये उनका सत्यापन इस कार्यालय से अवश्य कराने का कष्ट करें। उक्त के सम्बन्ध में डा0 नरेश कुमार, शिक्षा अधिकारी जोन- VI जिला-नार्थ ईस्ट दिल्ली को उनके पत्र के क्रम में इस कार्यालय के पत्र संख्या 4358/परि-9/99 दिनांक 27.10.99 के द्वारा पूर्व में ही सूचना प्रेषित की जा चुकी है। प्रेषित पत्र की फोटो प्रति संलग्न है।

संलग्नक- उक्तवत्।

Attested True Copy

[Signature]
Vice Principal/Head of School
Charak Sarvodaya Girls Sr. Sec. School
D.D.A. Flats East of Loni Road Delhi-93

भावदीय,
[Signature]
प्रबन्धक 08/12/99

3, नवल किशोर रोड, लखनऊ . 226 001 (उ० प्र०) भारत
3, Naval Kishore Road, Lucknow - 226 001 (U. P.) INDIA

☎ : 228349, 225165 फैक्स Fax : 0091-0522-221776

Web site : <http://www.up-tourism.com>

E-mail : upstdc@lw1.vsnl.net.in

[Signature]
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[Signature]

-15-

74

OFFICE OF THE PAY & ACCOUNTS OFFICER NO.VIII
G.T.B.HOSPITAL COMPLEX, SHAHDARA, DELHI.

No.

Dated:-

To,

Annex. R.II

The Vice Principal,
Sarvodaya Girls Senior Secondary School,
DDA Flats, East of Loni Road, Delhi.

Sub:- Sanction of provisional Pension in r/o Sh.G.D.Sharma
TGT to be retired on 31-12-99.

Sir,

With reference to your letter No.SKV/620 dated 22-12-99, I hereby authorise to draw provisional pension in r/o Sh.G.D.Sharma, TGT to be retired on 31-12-99, Rs.4950/- (Four thousand nine hundred and fifty only) till the finalisation of the departmental proceedings. The amount is debitable to the Major head 2071 Pension and other retirement benefits, 'Provisional pension'. Before drawing the amount of provisional pension a certificate regarding the non-employment may be obtained from the individual.

Yours faithfully,

(S.K.GUPTA)

PAY & ACCOUNTS OFFICER NO.VIII

No. 2990

Dated:- 27/12/99

Copy forwarded to Sh.G.D.Sharma, H-56, Mansarovar Park,
Shahdara.

(S.K.GUPTA)

Pay & Accounts Officer No.VIII

Recd

27/12
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For

Charak Govt. Sarvodaya Kanya Vidyalya

D.D.A. FLATS, EAST OF LONI ROAD, DELHI-93

Annex. P. 3 (Col)

Ref. No. S.K.V. 673

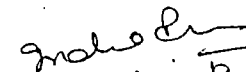
Dated... 2.01.2000

OFFICE ORDER

In compliance of the Pay & Accounts Officer -

VIII, G.T.B.H. Complex, Shahdara, Delhi's letter No. 2989 dated 27.12.99 re: sanction of Provisional Pension, Sh. G.D. Sharma, TGT (Hindi) Ex. is hereby directed to submit a non-Employment Certificate urgently to this School, so that your provisional pension will be proposed immediately & above Certificate may be sent to the P.A.O. - VIII for necessary action.

Sh. G.D. Sharma,
Ex TGT (Hindi)
H-56, Mansarovar Park,
Shahdara,
Delhi


Vice Principal 9.1.2000

Sarvodaya Girls Sr. Sec. School
D.D.A. Flats East of Loni Road
DELHI-110093

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Reminders - 1

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SARVODAYA GIRLS SR. SEC. SCHOOL

D.D.A. FLATS, EAST OF LONI ROAD, DELHI-110093

Ref. No. SKV/275

Dated 21.3.2000

OFFICE ORDER

Sh. G. D. Sharma, Ex-TGT (Hench')
to invited your kind attention to this
School office order No. SKV/673 dated 20.1.2000
with which you were directed to submit
your non-employment certificate to this
School but you have not done so far.

You are further directed to submit your
non-employment certificate to this School
urgently for further transmission to the
P.A.O. - VIII for the preparation of your provisional
pension urgently.

Sh. G. D. Sharma,
Ex. TGT (Hench'),
H-56, Mansarovar Park,
Shahdola,
Delhi

[Signature]
Vice Principal
Sarvodaya Girls Sr. Sec. School
D.D.A. Flats, East of Loni Road,
Delhi-110093

[Signature]
1/2/2000
2/2/2000
3/2/2000

18

Charak Govt. Sarvodaya Kanya Vidyalaya

D.D.A. Flats, East of Loni Road. Delhi-110093

Ref. No. SKV/106-8

Dated 23.6.2000

OFFICE ORDER

Sh. G.D. Sharma, Ex-TGT (Hindi) is
inquire his brief attention to this School Office
order NO. SKV/673 dated 20.1.2000 & subsequent
reminders dated 21.3.2000 with which you have
directed to submit his non employment
Certificate to this School. Now 5 months have
been passed but you have nothing done
so far.

You are further directed to submit
his non employment Certificate to this School
within 3 days after the receipt of this order
so that the same will be sent to the P.A. VIII
for the purpose of his provisionally pension
urgently desired which this School will not
be responsible for this delay.

Sh. G.D. Sharma
Ex-TGT (Hindi)
H. 56, Mansarovar Park
Shahdara, Delhi

Copy for record & action
to the :-

1) The Inspection Office - Z-11

B. Preeti Kumari, B.A. Hon.
Delhi Univ. with copy of this order dt 21.6.2000
21.3.2000

2) The Pay & Accounts Office - VIII

GT BH Complex
Shahdara, Delhi

(Sharma)

Principal

Sarvodaya Girls Sr. Sec. School
D.D.A. Flats, East of Loni Road,
Delhi-110093

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Office of the Dy. Director of Education
Yamuna Vihar Delhi

Annex 4

F No 56/6/2002/NE/734

19

DT 9/11

To
The Vice Principal
SUV, DDA flats
East of Coni Rd.
Delhi

Sub- Regarding Provisional Pension to
Sh. G. D. Sharma, retired L.T. (Hindi)

Madam,

Sh. G. D. Sharma, TGT had retired
on 31-12-99 & a disciplinary case is
pending against him. His case for provision
pension may please be processed as the
earliest. As the report to the certificate
of employ-^{ment}, Sh. Sharma was never
placed under suspension.

Yours faithfully
R. K. Rain

(M K Rain)

अधीक्षक (सर्वकला)
उप-मंडल, शिक्षा निदेशालय
"बी" ब्लॉक यमुना विहार
दिल्ली-110055

F No 56/6/2002/NE/Vig

Copy to P.A. VIII, G.T.B. Hospital
Campus Delhi for information & necessary
action in the matter

for CG (M K Rain)
for Suptl (Vig)

Dated 1/12/2000

Anant R.S.

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16

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Sh. G. D. Sharma
41-56, Mansarovar Park,
Chokkappa Delhi-32

Subj: Payment of Provisional Pension.

Sir,

With reference to above I am to say
that a cheque of Rs 75280/- for your
Provisional Pension for the period Jan. 2000
to Nov. 2000, has been got from the P.A.
so you may please get the same
after giving the due receipt.

Yours faithfully
Anant R.S.

(Sd/-) Anant R.S.
Subj.

आज्ञा किन्तु 2-12-2000 को
दिए गये हैं कि 2-12-2000 को
आज्ञा किन्तु 2-12-2000 को
आज्ञा किन्तु 2-12-2000 को
आज्ञा किन्तु 2-12-2000 को
आज्ञा किन्तु 2-12-2000 को
आज्ञा किन्तु 2-12-2000 को
आज्ञा किन्तु 2-12-2000 को

See Govt
B
Rev.

Charak Govt. Sarvodaya Kanya Vidyalaya

D.D.A. Flats, East of Loni Road, Delhi-110 093

Ref. No. SKV/390

Dated 15/1/2001

Annex R-6

श्रीमान,

(2)

श्रीगुरु दयाल शर्मा,
H-56, जगत रोड, पार्क,
आर-4, ई-1, दिल्ली-32.

विषय: सोवोदेनल पेंशन का प्रत्यक्ष भुगतान हेतु

महोदय,

उपरोक्त विषय पर आपकी पहली को
पत्र दिनांक 1.12.2000 को विशेष सूचना को देखते
करते हैं कि आप, कोलकता सोवोदेनल पेंशन विभाग में
जहाँ लिखा है। तब से तब तक शीघ्र ही जहाँ से आपका
जो तब कोलकता 8-1-2001 को इस कार्यालय में भेजा
हुआ

आप, आपने पुनः सोवोदेनल पेंशन कोलकता
जहाँ 2000 से जहाँ 2000 तक का सोवोदेनल पेंशन का
— जहाँ तब तक सूचना देना चाहें जहाँ तब तक विभाग में
जहाँ से आपकी पत्र पर जहाँ से सूचना कोलकता में
कोलकता का जहाँ से जहाँ से जहाँ से जहाँ से
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कलदीप

(सहस्र)

(सहस्र जहाँ से)

सहस्र जहाँ से

D. D. D.

Sarvodaya Girls Sr. Sec. School

D.D.A. Flats, East of Loni Road

DELHI-110093

R.I.O. with request
That I am not going to accept
the cheque just after one yr. late
only for provisional pension without
full & final payment of terminal
benefits i.e. (commutation, leave
encashment, gratuity and G. G. E. I.S.)

15.01.2001

for C/P
3
for

Charak Govt. Sarvodaya Kanya Vidyalaya

D.D.A. Flats, East of Loni Road, Delhi-110 093

Annex - 2

Ref. No. S.K.V./E.O./2001/413

Dated 19.2.2001

To

Sh. G.D. Sharma,
ex-TGT (Hindi)
H. 56, Man Srover Park,
Shahdola,
Delhi-32

Sub:-

Payment of Ad-hoc bonus for the year,
1999-2000

Sir,

It is to inform you that the year's
Ad-hoc bonus amount of Rs. 1850/- for the year,
1999-2000 are readily available in this school.

You are requested to kindly collect the
same amount from this school on any working day
between 9.00 A.M. to 12.30 P.M. accordingly.

मैं दिनांक 19.2.2001 को समाजी के घर पर
गई मिले चंका 19-2-2001

मैं घर पर समाजी के घर पर वही मिले 19-2-2001 चंका

Yours faithfully,

S.K.V. E.O. Flats

East of Loni Road
Delhi-110093

2617 of 2000

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Della Nov 32

अध्यापन न्यायपीठ/२०११

बाज दाखिल तक्रा

Filed Today

29 MAR 2001

साखिल न०/Filing No. 50
उप-रजिस्ट्रार/Dy. Registrar

उप-रजिस्ट्रार/Dy. Registrar

30/3
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50/3

CENTRAL ADMINISTRATIVE TRIBUNAL AT NEW DELHI.

O.A. No. 2617 OF 2000.

SH. GURDIAL SHARMA

..... APPLICANT

VERSUS

LT. GOVERNOR & ORS.

..... RESPONDENT

REJOINDER ON BEHALF OF THE APPLICANT.

Respectfully sheweth:

PRELIMINARY OBJECTIONS:

1. That inspite of the clear and distinct clear direction and order on behalf of the respondent No.1 & 2, who is a competent authority in this respect, that the defaulters in L.T.C. cases, the recovery amount alongwith the penal interest may please be charged from the persons those who make default in L.T.C. claim. The teachers those who were cheated immediately deposited the original amount with penal interest with the school authorities, obeying the orders of the Dy. Director with a hope to be relieved immediately, as going to be retired in the coming few days. The orders of the respondent No.1 of 1992 and the orders of the Dy. Director could be seen at page No. 48 & 47 in the application itself.
2. That ignoring both the orders of the respondents the respondent No.4 hurriedly took criminal step and lodged a F.I.R. before the Police Station (M.S.P.) against the applicant without any prior permission of the respondents which was mandatory provision of law of the Director of Education, whereas some false and fabricated averments are

आवेदन दाखल/CA

आवेदन दाखल

Filed Today

2,8 MAR 2000

आवेदन नं./Filing No...

उपनिर्देशक/Dy.Registrar

Contd....2

3. That the teacher was immediately relieved of his duties on 31/12/1999 though a case of extension upto the period of 31st March, 2000 was ^{allowed} ~~pending~~ before the Director of Education. *Mo 3122-4/2.12.99 (Personnel) 15 DDE*
MOE EO No 3776 W 6.12.99, again with hold, with same notation by
4. That the respondent No.4 was not satisfied upto this limit and again got the department proceedings issued against the applicant. *Report by*
5. That upon all this retiral benefits were with held and the applicant was put to torture and harassment was nothing whereas the provisional pension, G.P.F. and some other C.G.I.E.S. and leave charges could be made on the very day of relieving the applicants. It is absurd to say that applicant was summoned for payments whereas it has only been prepared just after the case is going to be matured.
6. That in this way though vigilance report regarding the teacher was clear (P-35), service record was verified and no dues certificate was issued (P-37), recovery order of the D.D.E. is there on record which is very much clear in itself (P-39), the pension cases can be cleared at the D.D. level (P-59) and inspite of all this the F.I.R. was filed even though the clear instructions were to seek the permission of the director in filing an F.I.R. against any teacher vide No. F-2/FA-JDE/(A)/87/5011-6011, dated 16/07/97 of D.S. Negi (DE.). Hence a double and treble jeopardy has been committed upon the applicant with a malafide intention though the applicant had deposited the whole amount in-law and all this could be avoided or the provisional payments could be made immediately otherwise an ill will prevailed in the minds of the respondent No.4, hence a strict and stern action may kindly be taken against the erring office of the respondent No.4.

BRIEF FACTS OF THE CASE:

1. In fact it is an ill will prevailed in the minds of the respondent No. 4 so to torture and harass the retiring teacher. It is hard fact that no

innocent would like to invite troubles for him for nothing. Thousands of teachers and government employee avail L.T.C. through all these traveling agencies and who will know that who is a cheater and who will play fraud with innocent persons. All this happened with the innocent teacher, who happened to believe like all other teachers and employees in this traveling agency, all the papers have already been annexed with the petition and apparantly seems to be genuine, or otherwise thorough investigation will reveal the fact whereas the teacher yielded before the authorities and acted according to their directions. Simply the issue of tickets manually prepared or computerised is not a serious objection which can be believed too.

PARAWISE COMMENTS ON THE BRIEF FACTS:

PARA No. 1-2 Para No. 1 & 2 are mostly admitted facts, whereas the allegation of bogus receipts and certificates can be discussed and verified after thorough investigation. The F.I.R. lodged was an over excise of the respondent No.4 without seeking any permission from the D.D.E./D.E. and to say the permission has been obtained is wrong and vehemently denied for want of any proof

PARA No. 3-4 Para No. 3 & 4 are wrong and denied whereas the payments of the G.P.F. was delivered after a gap of 14 months and provisional pension still to be disbursed. The lame excuse of employment certificate was simply to torture and harassed the teacher so to raise unnecessary objections. The provisional pension could be released immediately but the malafide intention of the respondent No.4 caused delay and other unnecessary objection. No letter as such was every delivered to the teacher till date whereas the teacher had been contacting the respondent No.4 occasionally for one or the other reason. The Gratuity and other pensionary benefit could be released immediately. The extension of the service of the teacher could also be got extended in a normal course when the case had already been sent to the respondent but the ill will prevailed.

Contd....4



PARA No. 5 Para No. 5 is wrong and denied whereas no offer as such regarding provisional pension and bonus has been offered to the starving teaching.

PARAWISE REPLY

PARA No. 1 Para No. 1 is wrong and denied.

PARA No. 2-3 Para No. 2 & 3 need no reply.

PARA No. 4.1 TO 4.9 Para No. 4.1 to 4.9 is again wrong and denied whereas the actual position has already been explained in earlier paras of preliminary objections and factual position and hence need not to be explained over here in this respect as the malafide intention prevailed in all this episode and the applicant has been thrown on the road to be starved and live from hand to mouth

PARA No. 5 Para No. 5 are the grounds which have been explained in a thorough manner and hence reiterated and reaffirmed over here as explained early in preliminary objections and in factual position. The department enquiry, the criminal proceedings can reveal the facts otherwise the retiral benefit can not be withheld at any cost which shows a malafide on the part of the respondent No. 4.

Rest of the paras are proceedings of the court, need not to be replied.

APPLICANT

New Delhi
Dated:

Through

(V.K. MALHOTRA)
Advocate