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*Central Administrative Tribunal
Principal Bench, New Delhi*

O.A. No.1180/2004

Thursday, this the 19th day of August, 2004

Hon'ble Shri S. K. Naik, Member (A)

Ashok Kumar Sharma
S/o Shri Siri Chand
Ex. Asstt. Superintendent, Kendriya Vidyala Sangathan
Regional Office, Silchar (Assam)

...Applicant

(By Advocate: Shri K.K. Sharma)

Versus

1. Commissioner, Kendriya Vidyala Sangathan
Shaheed Jeet Singh Marg, 18, Institutional Area
New Delhi
2. Assistant Commissioner, Kendriya Vidyala Sangathan
Regional Office, GCF No.1, Jabalpur (MP)
3. Assistant Commissioner, Kendriya Vidyala Sangathan
Hospital road, Silchar (Assam)
Pin:788001

..Respondents

(By Advocate: Shri S. Rajappa)

ORDER (ORAL)

Heard the learned counsel appearing for both the parties. The moot point involved for adjudication of this OA pertains to deduction of Rs.26,615/- out of the GPF balance of Rs.47,897/- of the applicant. It has been contended that the respondents under the rules and instructions could not have recovered the advance given to the applicant for undertaking various official journeys as the GPF balance is the protected amount of the applicant and under the rules, no recoveries could have been effected therefrom.

2. Learned counsel for respondents, on the other hand, admits that the GPF is a protected sum of an employee and as the matter relates to the

basis

(2)

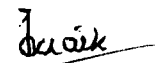


Silchar Office of the Kendriya Vidhyalaya Sangathan, he submits that the Commissioner, KVS (respondent No.1) be given an opportunity to look into the matter and make the payment of the GPF balance without any deduction therefrom.

3. Under the circumstances, this OA is disposed of with a direction to respondent No.1 (Commissioner, KVS) to consider the matter of full payment of GPF balance to the applicant within a period of two weeks from today and take steps to disburse the full amount so recovered.

4. OA is disposed of in the above terms.

Issue Dasti.


(S. K. Naik)
Member (A)

/sunil/