

13. 30.3.92

- O.A. 329/92

Mr. R.K. Gupta applicant in person
Mr. B.C. Upadhyay, Principal, Govt. Boys Sr. Secondary

School, Alipur present.

Mr. Santram, Principal, Govt. Boys Sr. Sec. School No. 2
Shakti Nagar present.

Heard the applicant who appeared before me in person. All the respondents ~~xxx~~ have been served. Shri Santram Principal, Shaktinagar school and Shri B.C. Upadhyay, Principal Alipur school were present before me. This application has been filed by the applicant ^{who has} prayed that the respondents be directed to pay an amount of Rs. 1856.90 which is the balance amount to which the applicant is alleged to be entitled to under the Compulsory Deposit Scheme (CDS) due to him. He has also claimed Rs. 6326.68 as interest on this amount. The applicant retired as a Post Graduate Teacher from the Govt. Boys Sr. Secondary School, Shakurpur, Delhi, the Principal of which school is Respondent No. 6, on 31.7.89. The applicant has received three years instalments of Rs. 382/- each under the ~~xxx~~ Compulsory Deposit Scheme but alleges that the 4th and 5th instalments and the refund of the new CDS has not been made to him. This fact is supported by Annexure, P.7 which a letter dated 19.7.89 written by the Principal of Alipur School i.e., R.4. to the Principal of Shaktinagar School (R.5).

2. Shri Santram, Principal of Shaktinagar school present before me ~~and~~ stated that the relevant papers of the applicant were not at all received by the Principal of Shaktinagar School till today. He ^{draws} brought my attention to Annexure, P.5 dated 15.4.81 in which the Principal of Alipur School was addressed to this effect. On the other hand Shri Upadhyay, Principal of Alipur School appeared before me today and stated that all relevant papers regarding the CDS amount of the applicant had been sent to the Principal, Shaktinagar School in 1979, 1981, 1989 and 1991. The Principal of Shaktinagar School, however, stated that such papers have not been received by the office of his School.

3. The applicant is a retired Teacher with very limited resources and he has been going from pillar to post for the last 12 years to get this amount paid to him. He had to approach this Tribunal as the last resort. In the circumstances I do not stand on the technical formality of limitation and admit this application.

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4. Accordingly, I dispose of this application with a direction to the Respondent No.2 (Director of Education) to dispose of the matter as revealed in the Registered Notice of the applicant's advocate dated 1.1.92 at Exbt.P.1 by calling for all the necessary papers from the Principals of the various Schools and make payment of the 4th and 5th instalments of old CDS as also new CDS to which the applicant is entitled ^{found to be} along with 12 per cent interest on the entitled amount from the date this payment became due to the date of actual payment. This should be done within a period of three months from the date of communication of this order. There will be no order as to costs.

S.P.M.
30.3.92.

(S.P.MUKERJI)

VICE CHAIRMAN

30.3.92