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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 29TH day of MAY 2007

Original Application No. 565 of 2007

Hon'ble Mr. P.K. Chatterji, Member (A)

Smt. Vibha Srivastava, C/o S.C. Srivastava, R/o 29
HIG Mumfordganj, Allahabad.

. . . .Applicant

By Adv: Sri S.K. Om

V E R S U S

1. Union of India through its Secretary, Ministry of Human Resources Development, New Delhi.
2. Joint Commission, Kendriya Vidyalaya Sangatha, 18, Industrial Area, Shaheed Jeet Singh Marg, New Delhi.
3. Assistant Commissioner, Kendriya Vidyalay Sangatha, Regionnal Office Salawala, Hathibarkala, Dehradun Uttranchal.
4. Principal Kendriya Vidyalay, Ordinance Clothing Factory, Shahajahanpur.

. . . .Respondents

By Adv: Sri NIL

O R D E R

The applicant who was working as LDC in Kendriya Vidyalaya Sangathan (KVS) Old Cantt Allahabad was compulsory retired from service after disciplinary proceedings. She had filed one OA before this Tribunal challenging order of compulsory retirement, which was dismissed. A Writ Petition was subsequently filed by the applicant against the order of the Tribunal which was also withdrawn. The applicant was compulsory retired from service by

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order dated 27.09.2000 which, however, was stayed by the Tribunal in OA No. 1214 of 2000 filed by the applicant. The OA was, however, dismissed subsequently. The applicant finally retired from service on 19.12.2005.

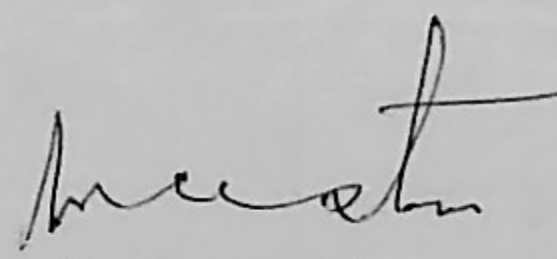
2. Although 1½ years has passed since retirement, the applicant has not been given any retiral dues, not even provisional pension has so far been granted to her. The applicant has annexed copies of correspondences between Assistant Commissioner of KVS and the Principal of KVS, which shows that both are trying to pass the buck to each other instead of settling the dues. The pension papers, it appears, have all been furnished. However, they are raising queries for which the retiral dues are not being settled.

3. Learned counsel for the applicant has stated that the applicant will be happy by a direction of the Tribunal to the respondents to take prompt action in settling his retiral dues under rules. I am of the view that the OA can be disposed of at the admission stage itself with a suitable direction to the respondents.

3. In view of the above it is hereby ordered that the respondents will take necessary action to clear the retiral dues of the applicant as admissible

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under rules after completing all necessary formalities and enquiries. They will first grant provisional pension within a period of two months from the date of receipt of copy of this order pending completion of other formalities for settlement of the entire retiral dues. After granting provisional pension within two months the respondents will take suitable action so as to sanction the pension and other retiral dues within a period of another two months i.e. 4 months from the date of receipt of a copy of this order. With this direction the OA is disposed of. No cost.


Member (A)

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