

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH : JODHPUR

115

Date of Order : 01.04.2002

O.A. No. 38/2002.

Inder Jit Sharma son of Shri Vaisno Dass Sharma, aged about 61 years, resident of 42-B Abhay Garh, Near Central School No.1 Air Force, Jodhpur, last employed on the post of SUPW Teacher in the office of Jawahar Navodya Vidyalaya Jajawar Distt. Pali Raj. 306022.

... APPLICANT.

v e r s u s

1. The Director, Navodya Vidyalaya Samiti, Indraprast Estate, Indira Gandhi Stadium, Near ITO, New Delhi.
2. The Principal, Jawahar Navodya Vidyalaya Jajawar Distt. Pali (Raj) -306022.
3. Incharge Officer, CPF/GIS Cell, Navodya Vidyalaya Samiti, Regional Office, Sector 42-A, Chandigarh.

... RESPONDENTS.

Mr. B. Khan counsel for the applicant.  
Mr. R. P. Singh, Principal, Jawahar Navodya Vidyalaya, Pali, departmental representative on behalf of the respondents.

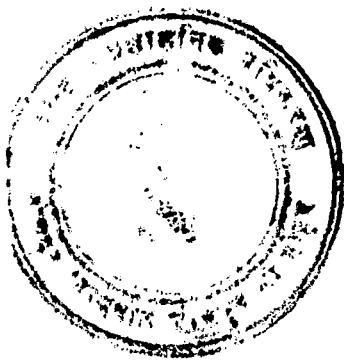
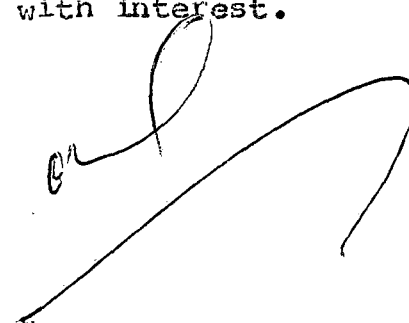
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Hon'ble Mr. Justice O. P. Garg, Vice Chairman.  
Hon'ble Mr. A. P. Nagrath, Administrative Member.

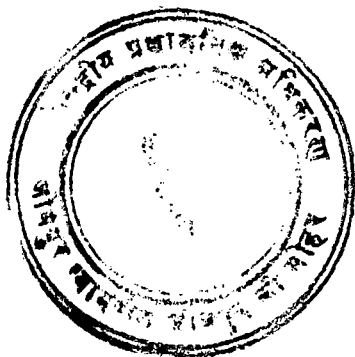
: O R D E R :  
(per Hon'ble Mr. Justice O. P. Garg)

The applicant stood superannuated on 31.01.2001 from the post of SUPW Teacher. His retiral ~~and~~ <sup>benefits</sup> ~~benefits~~ have not yet been released.

By means of this Original Application under Section 19 of the Administrative Tribunals Act, 1985, he has prayed that the respondents be directed to make payments of the retiral benefits under the heads CPF, DCRG, GIS, etc., with interest.



2. Shri R. P. Singh, Principal, Jawahar Navodya vidyalaya, Jawahar Distt. Pali, on behalf of the respondents, is present before us in person. He states that the matter with regard to the release of the above benefits to the applicant is under process and till now the payments could not be made to the applicant on account of the shifting of Respondents No. 3, Incharge Officer, CPF/GIS cell, Navodya vidyalaya Samiti, Regional Office, Sector 42-A, Chandigarh, from Delhi to Chandigarh. He wants time to file reply. Since the controversy in hand is trivial in nature, we are not inclined to drag on the OA unnecessarily without orders. It is an admitted fact that the applicant retired from the post of SUPW Teacher about fourteen months back. His legitimate dues of superannuation are yet to be paid. It is sad and bad that inspite of the departmental instructions and pronouncements of the various Courts that the pensionary benefits should be released with all expedition, the respondents have taken the matter very lightly and have unnecessarily delayed the payment to the applicant. Shri R. P. Singh, Principal, appearing on behalf of the respondents, assures that all the dues as permissible under the law, consequent upon the retirement of the applicant, shall be released by 31.05.2002.

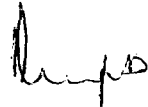


3. We finally dispose of this Original Application with the direction to the respondents that all the

dues which are permissible under the rules, as a result of the retirement of the applicant, shall be released in his favour with interest at the rate of 9% per annum, to be reckoned w.e.f. 01.05.2001, positively by 31.05.2002.

4. A copy of this order shall be sent by the Registrar of this Tribunal to the Respondent No. 1, Director, Navodaya Vidyalaya Samiti, Indraprast Estate, Indira Gandhi Stadium, Near ITO, New Delhi, in order to ascertain, as to under what circumstances, the delay has occasioned in releasing the retiral benefits to the applicant and after fixing the responsibility of the concerned officer/employee, appropriate action as may be deemed necessary in the circumstances shall be taken. No order as to costs.



  
( A. P. NAGRATH )  
Adm. Member

  
( JUSTICE O. P. GARG )  
Vice Chairman

Joshi