

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

**O.A. NO. 210 OF 2010**

Monday, this the 19<sup>th</sup> day of December, 2011

**CORAM:**

HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER  
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

K.Radhakrishnan  
Chalaparambath House  
Thillenkery, Kannur – 670 702  
(Last employed as TGT (Hindi) ... Applicant

(By Advocate Mr.John Mani V )

versus

1. The Principal  
Jawahar Navodaya Vidyalaya  
Neriamangalam  
Kothamangalam  
Ernakulam – 686 693
2. The Assistant Commissioner(personnel)  
Navodaya Vidyalaya Samiti  
Hyderabad Region, 1-1-10/3, S.P.Road  
Secunderabad – 500 003
3. The Deputy Commissioner  
Navodaya Vidyalaya Samiti  
Hyderabad Region, 1-1-10/3, S.P.Road  
Secunderabad – 500 003
4. The Commissioner  
Navodaya Vidyalaya Samiti  
A-28, Kailash Colony  
New Delhi – 110 048
5. Navodaya Vidyalaya Samiti  
represented by its Commissioner  
A-28, Kailash Colony  
New Delhi – 110 048
6. Union of India represented by Secretary  
Ministry of Human Resource Development  
Department of Secondary & Higher Education  
A-28, Kailash Colony  
New Delhi – 110 048 ... Respondents

(By Advocate M/s M.K.Damodaran Associates (R1-5)  
Advocate Ms.Deepthi Mary Varghese (R-6) )



The application having been heard on 19.12.2011, the Tribunal on the same day delivered the following:

**ORDER**

**HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER**

This is an OA filed by a contract appointee / teacher inter-alia contending that there were some illegal deductions made from the salary during the tenure when he was working as Teacher. In this connection, it is stated that vacation salary was not paid to him even though he is entitled for the same. Annexure R-1 is the copy of Contract Agreement produced by the respondents. It is contended that the correction made was signed by the Principal only. But copy of the agreement of the contract teachers is not produced by the applicant as it is irrevocably lost. The applicant has made a representation Annexure A-1.

2. After hearing the learned counsel for applicant for some time, he submits that he may be permitted to file an appeal before the 4<sup>th</sup> respondent and he does not press the OA for verdict on the merits of the case.
  
3. Though we heard the counsel on both sides for some time, in view of the request made by the applicant to enable him to prosecute the case before the Appellate Authority, we do not find it necessary to pronounce the order on merits however without prejudice to the contentions raised in the OA. It is open to the applicant to file appeal / representation before the 4<sup>th</sup> respondent which may be disposed of within a period of three weeks from the date of receipt of the appeal. In view of the matter, we have refrained from entering a finding on merits in the OA.

*PR*

4. OA is disposed of accordingly. No costs.

Dated, the 19<sup>th</sup> December, 2011.



**K GEORGE JOSEPH**  
**ADMINISTRATIVE MEMBER**



**JUSTICE P.R.RAMAN**  
**JUDICIAL MEMBER**

VS