

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 210 OF 2010

Monday, this the 19th 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 4th 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 4th 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.




4. OA is disposed of accordingly. No costs.

Dated, the 19th December, 2011.



K GEORGE JOSEPH
ADMINISTRATIVE MEMBER



JUSTICE P.R. RAMAN
JUDICIAL MEMBER

VS