

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

R.A. No. 53/98
in
O.A. No. 1578/97

New Delhi this the 20th Day of March 1998

Hon'ble Shri R.K. Ahooja, Member (A)

Shri S.N. Panigrahi,
Son of Padmanabha Panigrahi,
R/o 214 Laxmibai Nagar,
New Delhi-110 023

(11)
Petitioner/
applicant

-Versus-

Union of India,
through the Secretary
Ministry of Information & Broadcasting
6th Floor, Shastri Bhawan,
A-Wing, New Delhi.

Respondents

ORDER (By Circulation)

The petitioner/applicant had filed an OA No. 1578/97, aggrieved by the decision of the respondent to reject his application for study leave. The said OA was dismissed by the order dated 7.1.1998. The operative part of the order read as follows:

"Since the purpose for which the applicant had asked for study leave is not covered by the relevant Leave Rules nor is there any clear nexus between the subject he wants to pursue and the nature of his job. I find that there is no ground for interfering with the decision of the respondents. As regards the question of discrimination, the respondents have stated that Shri Ramashesh Viswanath had been granted study leave for the purpose of undertaking a study on contribution of Indian music in National Integration through All India Radio and Doordarshan. Obviously this study is not related to acquisition of skill in music, but on a matter which could lead to the better working of the Broadcasting Division. The two issues, i.e., the pursuit of academic study in L.L.B and a study on the contribution of Indian Music and National Integration in mass media cannot be equated."

DR

2. The petitioner has now come before the Tribunal with the submission that the above order requires a review since the Tribunal did not take into consideration Rule 50(2)(iii)CCS Leave Rules while dismissing the O.A.

3. I have carefully considered the above submission. Rule 50(2)(iii) can apply only subject to condition of Rule 50(3)(ii) namely, that study leave will be granted for prosecution of studies in subjects other than academic or literary subjects. Since L.L.B is admittedly an academic course, the prayer of the applicant for grant for study leave was not allowed.

5. In view of the above position, I find no error patent on the face of the record either of fact or law. Accordingly, I find that the Review Application is without merit. The same is summarily dismissed.


(R.K. Ahuja)
Member(A)

Mittal