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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 1830/2004

New Delhi, this the 2nd day of November, 2004

Hon'ble Sh. Sarweshwar Jha, Member (A)

R.P.Gupta
R/o DDA Flat 417
Pkt-2, Sector-9, Dwarka,
Delhi - 110 075.

...Applicant

(By Advocate Sh. G.K.Aggarwal)

V E R S U S

Union of India through

1. Director General (Works) and
Head of CPWD, Ministry of Urban Development
Govt. of India, Nirman Bhawan, New Delhi 110 011.
(Attn : Chief Engr (NDZ-I)
2. The Pay & Accounts Officer
NDZ-I (CPWD), Urban Development
2nd floor, B-Wing, IP Bhawan, New Delhi - 2.

...Respondents

O R D E R (O R A L)

Learned counsel for the applicant is present. None is present for the respondents nor is there any reply on behalf of the respondents

2. Learned counsel for the applicant has submitted that relief as sought by the applicant in this OA is quite a simple one and that the respondents could be directed to look into the matter and to do the needful.

3. On perusal of the facts of the case, it is observed that the applicant has prayed for leave encashment for 115 days - E.L. for 59 days and 56 days' EOL converted into EL, on leave salary during 1-7-97 - 26-10-97 with interest. The applicant was an Assistant Engineer (Civil) in the CPWD from where he retired on superannuation on 30-6-2003. It is quite surprising that leave encashment has not been released by the respondents. He has given the details of leave which, according to him, stands to his credit as on 30-6-2003, as given in para 4.02. He also makes a reference to the last pay drawn by him in the Executive Engineer's

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scale of pay given to him under ACP Scheme, though he continued to be Assistant Engineer only. He also claims to have paid several visits to the respondents' office in the matter, but has not been able to get relief from them so far.

4. It is quite surprising that the applicant has not been paid encashment of his leave in spite of his having retired more than one year ago. The respondents could have atleast given a reply to the applicant in the matter apprising him of the facts of the case.

5. Having regard to the fact that it is a very routine administrative matter which should have been considered and the needful done by the respondents, this OA is being disposed of at this stage itself without awaiting any reply from the respondents with directions to them to consider the matter as raised in this OA, treating the same as a representation of the applicant, a copy of which is already available with them and to dispose of the matter as per rules/instructions on the subject. The respondents are also directed to ensure that the applicant is apprised of the out-come of the consideration through a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. With this, this OA stands disposed of.


(Sarweshwar Jha)
Member (A)

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