

(Open court)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH

Dated, Allahabad, this 19th January, 2001

CORAM: Hon'ble Mr.S.Dayal, Member (A)  
Hon'ble Mr.Rafiq Uddin, Member (J)

M.A.4452/00 in Original Application No.1141/97

Parvati Devi W/O Late Badri Prasad  
resident of 517-G, Jamuniyabagh  
Railway Colony, Northern Railway, Kanpur

..... Applicant

Counsel for the applicant : Shri B.N.Mishra

V E R S U S

1. Union of India through its Secretary,  
Ministry of Railway, New Delhi
2. Divisional Railway Manager,  
Northern Railway, Allahabad
3. Chief Instructor, Electricity Training Centre,  
Northern Railway, Kanpur
4. Divisional Personnel Officer,  
Northern Railway, Allahabad

..... Respondents

Counsel for the Respondents : Shri A.K.Pandey

O R D E R (Open Court)

(Order by Hon'ble Mr.S.Dayal, AM)

This application has been filed seeking payment of salary of the applicant with effect from 25.8.1996 to 27.2.1997 and Bonus for the year 1995-96 after deciding the representation filed by the applicant. Since the applicant is Group 'D' employee and more than 3 years have elapsed, we pass orders on merit instead of asking the respondents to decide the representation.

We have heard the Learned Counsels.

Learned Counsel for the applicant has drawn attention to order of this Tribunal in O.A.1030/96 dated 16.1.1997 in which the transfer order dated 12.8.1996 of the applicant

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was quashed on the ground of malafides. The applicant was appointed on compassionate ground in the office of Divisional Medical Officer, Tundla and was transferred to Kanpur in 1988 on compassionate ground again. She was, however, transferred from Kanpur to Mugalsarai by order dated 12.11.1996 and relieved on 24.8.1996 and she was not paid salary from 25.8.1996 till order of this Tribunal dated 16.1.1997 was passed pursuant to which she was allowed to join 28.2.1997. She claims that she has not been paid Bonus for the year 1995-96.

Learned Counsel for the Respondents draws attention to paragraph 5 of the Counter Affidavit in which it has been stated that the applicant worked neither in Kanpur nor in Mugalsarai. It has also been denied in paragraph 6 of the Counter Affidavit that the Bonus for 1995-96 was due and it has been stated that Bonus for 1996-97 had been paid by the Respondents except for the period during which the applicant remained absent from duty.

In the light of above facts, we direct the Respondents to consider regularisation of period from 25.8.1996 to 27.2.1997 as period spent on leave due by the applicant. Since no Bonus is due to be paid to the applicant, relief regarding Bonus cannot be allowed.

The application thus partly succeeds and is disposed of in terms of directions given above. Any amount due to the applicant on regularisation of the period as leave shall be paid to her within three months from the date of receipt of the copy of this order.

No order as to cost.

  
JM

  
AM