

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 16th day of May, 2001.

CORAM :-

Hon'ble Mr. SKI Naqvi, J.M.

I. Original Application No.581 of 2001.

Dr. Prakash Kinjavdekar,  
Son of Sri S.G. Kinjavdekar,  
Resident of 4, Divyalok Apartments,  
Opposite Jagdish Vihar, Rajendra Nagar,  
Bareilly.

(Sri V.B. Tewari, Advocate)

..... Applicant

Versus

1. The Union of India,  
Through the Secretary,  
Indian Council of Agricultural Research,  
Krishi Bhawan, New Delhi.
2. The Director,  
Indian Veterinary Research Institute,  
Izatnagar, Bareilly.
3. The Chief Administrative Officer,  
Indian Veterinary Research Institute,  
Izatnagar, Bareilly.

(Sri M.P. Singh, Advocate)

..... Respondents

A N D

II. Original Application No. 582 of 2001.

Dr. Kiran Narayan Bhileganokar,  
Son of Dr. Narayan G. Bhileganokar,  
B-39, Rajendra Nagar, Bareilly.

(Sri V.B. Tewari, Advocate)

..... Applicant

Versus

1. Union of India  
Through the Secretary,  
Indian Council of Agricultural Research,  
Krishi Bhawan, New Delhi.

*See*

2. The Director, Indian Veterinary Research Institute, Izatnagar, Bareilly.
3. The Chief Administrative Officer, Indian Veterinary Research Institute, Izatnagar, Bareilly.

(Sri NP Singh, Advocate)

..... Respondents

O R D E R (Oral)

By Hon'ble Mr. SKI Naqvi, J.M.

Since controversy in both these matters is almost the same, both the OAs are being taken up together. OA No.581/2001 to be the leading case.

2. Both the applicants, namely, Dr. Prakash Kinjavdekar, and Dr. Kiran Narayan Bhileganokar, were granted studies leave during 1994 to 1997 and 1995 to 1998 respectively. After having successfully completed their research works, they joined back to their respective institutions with the respondents' establishment. To their surprise, they were not allowed pay increment for these three years' tenure of studies leave. Therefore, they requested to the departmental authorities but they could not bring them any relief, and hence they have come up before the Tribunal for a direction in this regard. The reliance has been placed on relevant rules in this regard as contained in Regulation 5.1, Agricultural Research Service Studies Leave Regulations, 1991 and the decision in O.A. No.1027/91 by the Principal Bench of the Central Administrative Tribunal rendered on 4-2-1992.

3. Sri N.P. Singh, counsel for the respondents has strongly opposed the <sup>Prayer</sup> ~~affair~~ with the mention that the applicants have approached the Tribunal prematurely without exhausting remedies available in the department.

*S.K.N.*

4. Keeping in view the facts and circumstances as well as the referred rules and laws in this regard, <sup>be order</sup> it is found expedient that in case the applicants, namely, Dr. Prakash Kinjavdekar and Dr. Kiran Narayn Bhileganokar move a representation to the competent authority in the respondents' establishment, the same be decided within three months thereafter by passing a detailed reasoned speaking order keeping in view the observations as above. Both the OAs are decided accordingly at admission stage with no order as to costs.

*Sarvagya*

Member (J)

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