

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 18th day of May, 2001.

Original Application No. 592 of 2001.

CORAM :-

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

Dr. Abhijit son of Motiramji Pawade,
Resident of C-45, Kurmanchal 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 N.P. Singh, Advocate)

..... Respondents

O R D E R (O_r_a_l)

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

The applicant, Dr. Abhijit, has a case that he was allowed three years study leave for the period between 01-9-1994 to 31-8-1997. When he returned back after completion of study leave and having completed research work, the period for which the leave was sanctioned, he was denied increments in pay for his study leave ^{period} i.e. for a period of three years. When he could not succeed, having approached to the authorities concerned, therefore, he has come up before the Tribunal seeking a direction in this regard.

See v.

2. Learned counsel for the applicant referred Regulation 5(1) of the Agricultural Research Service (Study Leave) Regulations, 1991 and also relied on the verdict by the Principal Bench of the Tribunal in DA No.1027 of 1991 rendered on 04-2-1992. It is quite evident from the referred rule and the law on the point that the employees of the respondents institute, who are granted study leave for the purpose of research work, they are entitled to get their increment in the pay ^{Study leave} for that period also.

3. Sri NP Singh, learned counsel for the respondents has opposed the ^{Prayer} ~~affair~~ but could not mention any ground to repel the assertion from the side of the applicant. For the above, the DA is decided at admission stage with the direction to the respondents to decide the undecided representation of the applicant dated 28-8-2001 within three months from the date of communication of this order and in case the applicant is found entitled to the claim the arrears due be paid within two months thereafter. There shall be no order as to costs.

Member (J)

Dube/