

open Court

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,

ALLAHABAD

• • •

Original Application No. 759 of 2001.

this the 5th day of July 2001.

HON'BLE MR. S. DAYAL, MEMBER (A)  
HON'BLE MR. RAFIQ UDDIN, MEMBER (J)

Bhai Singh, S/o late Hoti Yadav, R/o Village & Post Rajpura,  
District Budaun.

Applicant.

By Advocate : Sri H.C. Shukla.

Versus.

1. Union of India, through Secretary, Railway Board,  
241, Rail Bhawan, New Delhi.
2. General Manager (Railway), Baroda House, New Delhi.
3. Divisional Engineer (Third), Northern Railway  
Division Office, Moradabad.
4. Assistant Divisional Engineer, Northern Railway,  
Chandauli.
5. Section Engineer, AvI. Ansari, Rajghat Narora,  
Bulandshahar, Northern Railway.

Respondents.

By Advocate : Km. Renu Singh for Sri A.K. Gaur.

O R D E R (ORAL)

S. DAYAL, MEMBER (A)

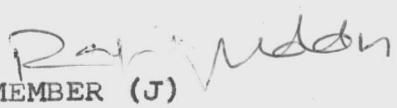
This application has been filed for a direction to the respondents to allow the applicant to join his duties as Trackman on Gang no. 5, Rajghat, Bulandshahar. A further relief to pass appropriate orders on the representation of the applicant dated 3.2.2001 by the respondent no.3 is also sought. It is also prayed that the applicant has been treated in continuous service and release the benefits admissible in accordance with law with interest.



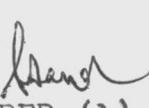
2. The case of the applicant is that he had proceeded on leave by giving an application on 25.5.2000 on account of illness of his wife. The period of leave was for two months. The applicant moved another representation dated 28.6.2000 addressed to the respondent no.5 in which he had stated that neither his leave was sanctioned, nor his pay was disbursed when he went to receive his pay. He moved yet another representation dated 28.8.2000 stating that his wife is still ill and is not being paid the leave salary, nor have his applications been sanctioned. Finally, the applicant moved representation dated 3.2.2001 in which he has stated that on orders passed by the Assistant Divisional Engineer, his name has been deleted from the gangsheets of Gang no. 5. It is stated that he has neither been sanctioned the leave, nor any action has been taken against him under rules.

3. We have heard the arguments of Sri H.C. Shukla, learned counsel for the applicant and Km. Renu Singh proxy counsel for Sri A.K. Gaur, learned counsel for the respondents.

4. In the circumstances of the case, we consider it appropriate to direct the respondent no.3 to whom the representation dated 3.2.2001 has been addressed to consider and decide the same by a reasoned and speaking order within a period of three months from the date of communication of this order. The respondents are, however, directed <sup>not to</sup> if there is nothing against the applicant except the fact that his leave applications have not been sanctioned so far, he may be allowed to join his duty. There shall be no order as to costs.

  
MEMBER (J)

GIRISH/-

  
MEMBER (A)