

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/273/2021

HYDERABAD, this the 29th day of March, 2021

**Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member**



1. K. Pandu, S/o. K. Bangaraiah, E.C. No.1581,
Occ: Retired as TM/G, R/o. 11-10-98, SBI Colony,
Kothapet, Laxmi Nagar, Near Fruit Market,
Dilsukhnagar, SBI Colony, Hyderabad.
2. K. Mallasham, E.C.309,
S/o. K. Venkaiah, aged about 80 years,
Occ: Retd. Tradesman-F,
R/o. H.No.12-14-343, Lalapet,
Vinobha Nagar, Secunderabad.
3. K. Pochaiah, E.C.0603,
S/o. Late K. Muthyalu,
Aged about 73 years,
Occ: Retd. ST/G, R/o. H.No.2-15-106/1, Berrpu Nagar,
Uppal Hyderabad – 500 039.
4. S. Venkat Swamy, E.C No.0496,
S/o. Late S. Achaiah, aged about 69 years,
Occ:ST/J, R/o. Plot No.189, H.No.42-609/1A,
M.J. Colony, Moula Ali, Hyderabad.
5. J. Anjaiah, E.C.1299,
S/o. J. Gandaiah, aged about 69 years,
Occ: Retd. ST/J,R/o. 18-3-463/1/71, Shivaji Nagar,
Rajamma Bowli, Hyderabad. – 500 053.
6. D.M. Balasunder Rao, E.C.No.0380,
S/o. Late D.R. Murthy, aged about 72 years,
Occ: Retd. T/J, R/o. 5-2-402, Hyderbasthy,
Secunderabad – 500 003.

...Applicants

(By Advocate : Smt Anita Swain)

Vs.

1. The Union of India rep. by its Secretary, Department of Atomic Energy, Anushakti Bhavan, CSM Marg, Mumbai – 400 001.
2. The Chief Executive, Nuclear Fuel Complex, Department of Atomic Energy, ECIL Po Hyderabad – 500 062.

....Respondents



(By Advocate: Sri V. Vinod Kumar, Sr. CGSC)

ORAL ORDER
(As per Hon'ble Mr. B.V. Sudhakar, Admn. Member)

Through Video Conferencing:

Heard Smt Anita Swain, learned counsel for the applicants and Sri V. Vinod Kumar, learned Senior Central Government Standing Counsel for the respondents.

2. The dispute is about encashment of earned leave of 300 days at the time of retirement. The applicants grievance is that the respondents have failed to credit half pay leave for 20 days for the years from 1982-84. If the half pay leaves are credited, then the applicants get more leave for encashment. Therefore, they have represented to the respondents and the same were rejected stating that they were given 240 days of encashment of earned leave. However, the applicants have again issued a legal notice on 15.02.2021 and the same has not been responded to.



3. We have gone through the averments made by the applicants. The rules provide for encashment of earned leave accumulated by the applicants for the years of service rendered. The half pay leave earned by the applicants can also be added to the earned leave, in view of the norms on the subject. Keeping this aspect in view, applicants are directed to submit a comprehensive representation to the respondents stating the rules and law based on which they are eligible to get credited HPL in their leave account within one week from the date of receipt of copy of this order and thereafter, on receipt of the representation, respondents shall dispose of the same within eight weeks as per rules and law by issuing a speaking and reasoned order.

4. With the above direction, the OA is disposed of at the admission stage. No order as to costs.

(B.V. SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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