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CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH

Original Application No. 167 of 1988

P.K. Agrawal

.. .. Applicant

Versus

Union of India and Others

.. .. Respondents

CORAM:

Hon'ble Mr. Justice U.C. Srivastava, V.C.

Hon'ble Mr. K. Chayya, Member(A)

( By Hon. Mr. Justice U.C. Srivastava, V.C. )

As the pleadings are complete, the case is being disposed of finally after hearing the counsel for the parties. The applicant was a permanent employee of the Northern Railway on the post of Permanent Way Inspector(Special). The monthly salary of the applicant is Rs.1830.50p. The grievance of the applicant is that he has not been paid his salary by the respondents for the period commencing from 3.12.1985 to 2.1.1986 to which he was entitled, despite the repeated requests and ultimately he filed this original application in the month of 4th February, 1988 claiming the same. The applicant has also stated that the travelling allowance of this period although he was present on duties and performed the duties from time to time which can be verified from the record but even <sup>then</sup> not only the salary

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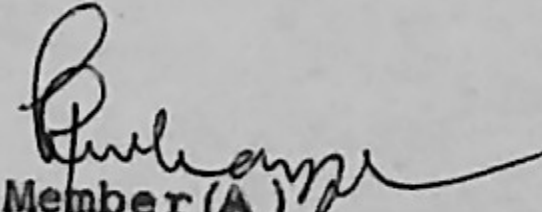


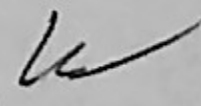
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the T.A. etc too has not been paid to him for the said period. Thus he has ~~been~~ prayed that a sum of Rs.3153.50p as the total amount due. Out of which Rs.1830.50p as salary and ret as T.A. for the months of June, October, November and December 1985.

2. The respondents have opposed the claim of the applicant and stated that he should have ~~been~~ filed a representation ~~but~~ before approaching this Tribunal. Even otherwise during these period i.e. 3.12.85 to 2.1.86 he was on leave that is why no salary was payable to him. So far as T.As are concerned, as the applicant has not ~~been~~ submitted the the bill, the same has not been paid to him. If the applicant was on leave, he will not be deprived of his salary altogether as the salary only for the period to which he was not entitled to can only be deducted but a Govt. servant is entitled to salary for the leave period also in accordance with the rule. Accordingly this application is allowed to the extent that the respondents are directed to calculate the period to which the applicant was entitled under the law and pay him salary for the said period. If the applicant submits T.A. bills within a period of one month, the respondents shall also verify the same and pay the amount which legally due to him within another one month. Accordingly the application stands disposed of finally.

  
Member (A)

  
Vice Chairman

Dated: 18th August, 1992:

(Uv)