

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD

Allahabad this the ^{21st}~~23rd~~ day of July 2000.

Original Application No. 1192 of 1992.

Hon'ble Mr. S.K.I. Nagvi, Judicial Member.

Hon'ble Mr. M.P. Singh, Administrative Member.

Madan Mohan Prasad, son of late

Sri Baldeo Lal, R/o 149-C,

Jatepur Railway Colony,

Gorakhpur.

.....Applicant

C/A Sri Bashist Tewari.
Versus

1. Chief Works Manager (P) Workshop,
N.E. Rly, Gorakhpur.

2. Union of India, through the General Manager,
N.E. Rly., Gorakhpur.

3. Vijay Kumar son of late Sri Rajendra Prasad
Mistri High Skilled maintenance Shop N.E. Rly.,
Workshop Gorakhpur. R/o 149-C, Jatepur Railway
Colony, Gorakhpur.

.....Respondents

C/R Sri A.K. Gaur.

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ORDER

By Hon'ble Mr. S.K.I. Nagvi, JM

Sri Bashist Tewari learned counsel for the applicant mentioned during final argument that out of reliefs sought in this OA, now he has to press the relief in respect of payment of leave-en-cashment amount only, which has not been paid to applicant, Madan Mohan Prasad, who retired on 31.7.82 while he was working as Head time Keeper-Workshop in the respondents establishment.

2. As per respondents case the amount of leave-en-cashment has not been paid on the ground that applicant did not vacate the quarter, allotted to him during service time and kept the same in his occupation even after his retirement from service.

3. Heard learned counsel for rival contesting parties and perused the record.

4. In this matter the controversy is very short. It is not in dispute that after retirement the applicant was entitled to get an amount of leave-en-cashment. It is also not in dispute that even after his retirement the applicant remained in occupation of quarter allotted to him for the service tenure and did not vacate the quarter up to 5.3.98. The learned counsel for the applicant makes a statement on behalf of the applicant that if there is any amount due against the applicant, for his occupation of quarter,

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that may be deducted and the balance be paid to him, if there remains any.

4. For the above we find that it is a fit case to direct the respondents to settle the claim of the applicant in respect of payment of leave-en-cashment to which he became entitled on retirement and, the amount, if any remains after deduction of dues against applicant, be paid to him within four weeks from the date of communication of this order. *The respondents are directed accordingly.*

5. The OA is disposed of with above observations.

6. There shall be no order as to costs.

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8.23.7.2000

WJH
Member-A

Saeed Raza
Member-J

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