

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

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Original Application No. 1854 of 1993

M.P. Sinha

.....

Applicant

Versus

Union of India
and Others

.....

Respondents

Hon'ble Mr. Maharaj Din, Member (J)

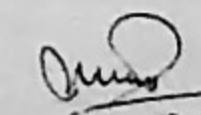
The applicant has sought the relief ^{to issue} ~~for~~ ⁴ ~~direct~~ the respondents to make payment of leave salary for 203 days.

2. The applicant was appointed as a Railway Guard on 13.5.1957 in Asansol Division and in the year 1962 he was transferred to Danapur Division and thereafter from 01.1.1978 he was transferred to Mugalsarai Division and lastly he was retired on attaining the age of superannuation on 31.8.91. The applicant was entitled to get leave encashment but, the same was not ^{paid} ~~made~~ to him despite his representations made to the respondents.

3. The respondents considered the first representation dated 21.12.91 (Annexure A-3) submitted by the applicant and replied the same vide letter dated- 08.10.1991 (Annexure A-2). The respondents in their reply have said that the amount of leave encashment could

not be paid to the applicant and others because the record in this case was to be ~~restructured~~^{reconstructed}. It is to be noted that bifurcation of Danapur Division from Mugalsarai Division took place in the year 1977 and Railway employees who had opted for Mugalsarai Division were absorbed there but, their complete service record was not sent. The respondents themselves have undertaken to ~~restructure~~^{reconstruct} the record of leave encashment vide Annexure A-2, the undue delay in the matter has already been ~~passed~~^{caused}.

4. In view of the ~~these~~^{fact} facts and circumstances of this case, the application of the applicant is disposed of at admission stage with the direction to the respondents to ~~restructure~~^{reconstruct} the leave record of the applicant and make the payment of leave encashment within a period of three months from the date of communication of this order. The application of the applicant is accordingly disposed of at admission stage.


21.3.94
Member (J)

Dated 21st March, 1994

/M.M./