

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Original Application No. 1855 of 1993

Shamshul Haque Khan ::::::: Applicant

Versus

Union of India
and Others ::::::: Respondents

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

The applicant has sought the relief to issue direction to the respondents to make payment of leave salary for 240 days.

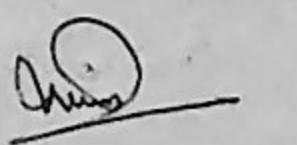
2. The applicant entered in Railway-service on 07.7.1958 and had retired on 22.10.1992 due to being medically unfit. The applicant at the time of his retirement held the post of Special Grade Guard in Mugalsarai Division. It is stated that at the time of retirement he was entitled for 240 days leave salary but the same was not paid to him. The leave account was maintained by the office of the respondents but because of non-availability of leave account in the office, he ^{was} ~~were~~ not paid the leave encashment. The applicant submitted the representation but the office of the respondents remarked that leave encashment could not be paid to the applicant because non-availability of record.

3. The respondent considered the representation of the applicant and informed the applicant vide letter dated 08-10-1991 (Annexure A-3) that amount of



leave encashment could not be paid to the applicant and others because the record in this case was to be 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 reconstruct the record of leave encashment vide Annexure A-3, the undue delay in the matter has already been caused.

4. In view of these facts and circumstances of this case, the application of the applicant is disposed of at admission stage with the direction to the respondents to 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.


Member (J)

Dated 21st, March 1994

/M.M./