

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 5th day of June, 2002.

Original Application No.662 of 2002.

CDRAM :- Hon'ble Mr. S. Dayal, A.M.

Phul Dass S/o Jawahar

R/o H.N. 392, Nandan Pura Lane No.3,

District Jhansi.

(Sri S.N. Varma, Advocate (Not present)).

. . . . . Applicant

Versus

1. Union of India through  
General Manager,  
Central Railway, Mumbai CST.
2. Central Railway, Karmic Mandal Rail  
Prabhandhak, Workshop Jhansi.
3. Divisional Railway Manager,  
Central Railway, Jhansi.

(Sri KP Singh, Advocate)

. . . . . Respondents

O R D E R (O\_r\_a\_l)

By Hon'ble Mr. S. Dayal, A.M.

This OA has been filed for a direction to the respondents to pay leave encashment of the applicant which is still due.

2. The claim of the applicant is that he retired on 31-3-1998. After retirement his pensionary benefits, except leave encashment ~~xxx~~ have been paid. It is claimed that the applicant as a Fitter Stem Loco Shed, Jhansi, has mostly performed duties at Line and the letter 'L' was entered by the Clerk in the Muster Roll. The actual payment to the applicant, it is claimed, was reduced on account of this fact. It is claimed that the applicant

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has made representations several times but his representations have not been considered. The respondents have refused to give leave encashment vide order dated 11-5-2001.

3. None is present for the applicant while Sri NP Singh, counsel for the respondents is present.

4. I have perused Annexure-A-2. Sri NP Singh, learned counsel for the respondents states that leave account of the applicant shows a balance of 176 days and thereafter the applicant has been paid leave salary's difference on account of the 5th Pay Commission and an additional 9 days of leave encashment amount of Rs.41,462/-. It is stated that his leave account <sup>was</sup> scrutinised a number of times and he has been paid encashment for the leave in balance.

It is claimed that the applicant was informed of this fact in Pension Adalat No.2 on 31-1-2000.

5. Thus, it is <sup>clear</sup> ~~stated~~ that prima facie there is no merit in the OA and the OA is accordingly dismissed. There shall be no order as to costs.

  
Member (A)

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