

(Reserved on 11.04.2014)

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

ALLAHABAD this the 23rd day of April, 2014

Present:

HON'BLE MR. SHASHI PRAKASH, MEMBER-A.

HON'BLE MS. JASMINE AHMED, MEMBER-J.

ORIGINAL APPLICATION NO. 412 OF 2006

Chandra Pal Singh, Senior Clerk under Chief Medical Superintendent, North Eastern Railway, Izzat Nagar Division, Bareilly.

.....Applicant.

V E R S U S

1. The Union of India through the General Manager, North Eastern Railway, Gorakhpur.
2. The Divisional Railway Manager, North Eastern Railway, Izzat Nagar Division, Bareilly.
3. The Chief Medical Superintendent, North Eastern Railway, Izzatnagar Division, Bareilly.

..... Respondents

Present for the Applicant: Shri T.S. Pandey

Present for the Respondents: Shri K.P. Singh

ORDER

(Delivered by Hon'ble Mr. Shashi Prakash, A.M)

At the very out set, Shri T.S. Pandey, learned counsel for the applicant conceded that the main relief sought by the applicant for promotion to the post of Head Clerk has already been granted by the respondents. The only prayer, which he would like to press is to pay the salary for the period from

Sn

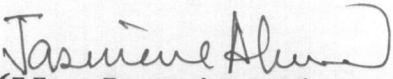
12.12.2005 to 06.09.2006 after regularizing this period by granting medical and extra ordinary leave to the applicant as per the amended relief.

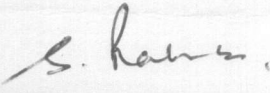
2. Shri K.P. Singh, learned counsel for respondents stated that if the relief of the applicant is restricted to the prayer as made by the learned counsel for the applicant he has nothing further to submit.
3. Heard learned counsel both the parties.
4. In view of the statement of the learned counsel for the parties, we are of the view that once the respondents have agreed to promote the applicant to the post of Head Clerk, there appears no reason why the services of the applicant for the period, for which he remained absent on account of his illness, should not be regularized.
5. Accordingly, the applicant is directed to submit an application for sanction of medical as well as extra ordinary leave to the competent authority alongwith certified copy of this order within 10 days from the date of pronouncement of the order. If such an application is filed by the applicant, as directed above, within stipulated period, the respondents are directed to consider the same and pass orders for regularization of period from 12.12.2005 to 06.09.2006 by sanctioning medical

Sn

and extra ordinary leave, as admissible under rules within one month thereafter.

6. With the above direction the O.A is disposed of. No costs.


(Ms. Jasmine Ahmed)
Member-J


(Shashi Prakash)
Member-A

Anand...