

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. NO. 257 OF 1991

TRAIL NO.

DATE OF DECISION 11.9.1995.

Shri Narsinghbhai K. Leuwa, **Petitioner**

Mr. K.K. Shah, **Advocate for the Petitioner (s)**

Versus

Union of India & Ors. **Respondents**

Mr. N.S. Shevde, **Advocate for the Respondent (s)**

CORAM

The Hon'ble Mr. V. Radhakrishnan, Admn. Member.

The Hon'ble Mr.

JUDGMENT

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

Shri Narsimhbhai Karsambhai Leuwa,
643/90, Om Nagar Society,
Asarwa, Ahmedabad- 16.

..... Applicant.

(Advocate: Mr. K.K. Shah)

Versus.

1. Union of India, to be served
through: General Manager,
Western Railway, Churchgate,
Bombay.

2. Divisional Railway Manager,
Western Railway,
Baroda Division,
Pratapnagar, Baroda.

3. Divisional Mechanical Engineer(E)
Divisional Office,
Western Railway,
Pratapnagar, Baroda.

..... Respondents.

(Advocate: Mr. N.S. Shevde)

ORAL ORDER

O.A.No. 257/1991

Date: 11-9-1995.

Per: Hon'ble Mr. V.Radhakrishnan, Admin. Member.

Heard Mr. K.K. Shah and Mr. N.S. Shevde, the learned advocate for the applicant and the respondents respectively.

2. The applicant has approached the Tribunal with the prayer for following reliefs:

"That the respondents be directed to pay the petitioner the encashment of balance of his unutilised leave for 113 days as per rules with an interest of 12% or market rate whichever is higher".

He has produced Annexure A-1 showing his calculation regarding balance of earned leave to his credit on the



date of retirement. The respondents however, have stated that as per the records the leave encashment has been paid correctly. However, they have not produced any copy of the leave account in order to prove the same. The respondents are directed to allow the applicant to visit the officer concerned and explain his position along with documents and if necessary he allowed to inspect the official leave records of the respondents pertaining to the applicant so that the officer can verify his own record as well as the record produced by the applicant and come to a conclusion regarding the actual earned leave available to the applicant on the date of his retirement and thereafter pass a speaking order. The respondents shall give a date to the applicant within the next one month for him to appear before the officer concerned. The decision of the officer after scrutiny of the records shall be taken within 15 days after the applicant has been heard. If on the basis of the above scrutiny further earned leave becomes due to the applicant which was not encashed, the same shall be encashed and payment made to the applicant within eight weeks from the date of scrutiny by the officer concerned. With the above directions O.A. stands disposed of accordingly. No order as to costs.


(V. Radhakrishnan)
Member (A)