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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO. 194 OF 2000  
CUTTACK THIS THE 20<sup>th</sup> DAY OF June 2001

CORAM:

THE HON'BLE SHRI SOMNATH SOM  
THE HON'BLE SHRI G.NARASIMHAM

VICE-CHAIRMAN  
MEMBER (J)

1. Sri Kishore Chandra Maharana,  
aged about 44 years,  
S/O. Sri Jagannath Maharana,  
resident of Qr.No.290, Type-III  
New A.G.Colony,  
Bhubaneswar-12, District: Khurda  
and at present working as Senior  
Accountant, Office of the Principal  
Accountant General(A&E), Orissa,  
Bhubaneswar.

..... Applicant

By the Advocates

M/s.L.Pangari  
B.Jena  
I.Pattnaik

- V e r s u s -

1. Union of India represented through  
The Principal Accountant General(A&E)  
Orissa, Bhubaneswar.
2. senior Deputy Accountant General(Accounts)  
O/O the Principgl Accountant General(A&E),  
Orissa, Bhubaneswar.

..... Respondents

By the Advocates

Mr. A.K.Bose  
A.S.C

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O R D E R

G. NARASIMHAM, MEMBER (JUDICIAL) : This Original Application was filed on 17.4.2000 by a Senior Accountant of the Office of the Principal Accountant General (A&E), Orissa, Bhubaneswar (Respondent No.1) with the following prayers:-

For direction to the Respondents (a) to sanction and release his commuted leave salary for the period 8.4.99 and 17.5.99 to 18.9.99, and  
(b) to deposit the basic pay component of each month from April 99 to September 99 in his G.P.F account for the corresponding period.

2. Respondents i.e the Principal A.G and Senior P.A.G (Accounts) oppose this Original Application on various grounds one of which is maintainability of the Original Application because the leave applications were still under consideration when the Original Application was filed.
3. In the rejoinder dtd.26.2.2001 the applicant while reiterating his stand relies on Office Memorandum dtd.24.8.2000 (A/5) for sanction of commuted leave/leave on medical certificate. It is his further case that he was again on letter on medical grounds from 16.8.2000 to 29.8.2000 and for this period who he had applied for commuted leave with the same pending without being sanctioned.
4. We have heard Sri B.Jena, the learned counsel for the applicant and Sri A.K.Bose, the learned Senior Standing counsel for the Respondents.
5. Admittedly, the leave applications are still pending for consideration. Perhaps the Respondents had not taken any

decision because of the pendencies of this Original Application.

Hence at this statge the issue whether commuted leave for the period can be sanctioned or not on the basis of the averments made in the pleadings should not be decided by this Bench.

6. Hence without entering into discussion on merits, we direct the Respondents to dispose of the leave application of the applicant for the period from 8.4.99 to 7.5.99 and 17.5.99 to 18.9.99, with a reasoned order and communication the same to the applicant. This direction holds good even in case of leave application for the period from 16.8.2000 to 29.8.2000 if the same is received and still pending. We further direct this entire exercise shall be completed within 30 days from today. The applicant is not liberty to approach this Tribunal in case he is agrieved with the order of the Respondents.

7. O.A. is disposed of with the aforesaid direction but without costs.

*Somnath Som*  
(SOMNATH SOM)  
VICE-CHAIRMAN  
20.6.01

20.6.01  
(G. NARASIMHAM)  
MEMBER (J)