

8

O.A. No. 73 of 2007

Order dated: 30.07.2008

CORAM:

Hon'ble Mr. Justice K. Thankappan, Member(J)

Hon'ble Mr. C.R. Mohapatra, Member (A)

This is an application for a direction to be issued to the Respondents for regularization of the absence of the applicant from duty for a period from 24.11.1982 to 01.03.1989. It is also prayed that the Respondents may be directed to allow the post retirement benefits such as DCRG, Pension and Commuted Leave etc. It is averred in the O.A. that applicant was working in the Railway Board and, while so, he ~~was~~ absconded from duty due to severe leprosy from 24.11.1982 to 01.03.1989. It is further averred in the O.A. that though he had sent so many applications for regularization of his leave, the authorities have not considered the claim.

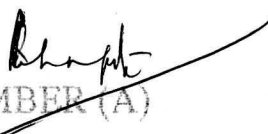
This Tribunal perused the O.A. and documents submitted and also heard Mr. R.S. Behera, Ld. Counsel appearing for the Respondents. The applicant now claims two reliefs from this Tribunal. First is for a direction for regularization of his absence from duty and second is for the final pension and other retirement benefits. With regard to the first claim, though it is averred in the O.A. that the applicant was suffering from severe leprosy, there is no material for us to consider his claim that he is entitled for any relief on that medical ground. The applicant has also not produced any leave application sent to the authorities for

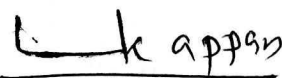


9

considering his medical leave except some letters and that are not capable to conclude that the applicant was suffering from any such disease. In the above circumstances, the first claim is rejected as meritless and not supported by any material. With regard to the second relief, the Ld. Counsel appearing for the Respondents brought to notice of this Tribunal today that the applicant has already retired from service and his pensionary benefits has already been granted and pension of Rs. 1533 has been granted to the applicant. In the above circumstance, the second relief is already granted by the department. Hence, nothing remains to be adjudicated by this Tribunal with regard to second prayer.

Accordingly, recording the above, this O.A. stands disposed of by allowing to the extent applicable to the second relief.

  
MEMBER (A)

  
MEMBER (J)