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OA No. 271 of 2010

Kartika Ku. Senapati Applicant
-Versus-
Union of India & Ors. Respondents

1. Order dated: the 28th June, 2010.

C O R A M

THE HON'BLE MR. C.R.MOHAPATRA, MEMBER (A)

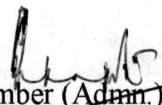
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Through this Original Application, applicant who is working as a Cabin Lever Man in the Railway seeks direction to the Respondents to quash the order dated 11.3.2009 (Annexure-A/4) and to direct the Respondents to release his arrear salary of the period from 22.6.2007 to 20.1.2008. Heard Mr.Mohapatra, Learned Counsel for the Applicant and Mr. S.K.Ojha, Learned Standing Counsel, appearing on notice for the Respondents and perused the materials placed on record. The reason, as it appears from the letter under Annexure-A/4 dated 11.3.2009, for not releasing the salary for the aforesaid period is for non-submission/non-sanction of the leave application for the aforesaid period in question. It has been submitted by Learned Counsel for the Applicant that Applicant has already submitted his leave application for the above period. But no document has been produced either through this OA or in course in support of his plea that despite of submission of leave application and despite availability of leave to the credit of the applicant the same has not been sanctioned. In view of the above I am of the prima facie opinion that being premature this OA

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is not entertainable. However, it has been submitted by Learned Counsel for the Applicant that the OA may be disposed of with direction to the Respondents that in the event of submission of leave application the same may be considered by the Respondents. In view of the above and as agreed to by Learned Counsel for both sides, this OA is disposed of at the admission stage with direction to the Respondents that in the event any such application is filed by the Applicant within a period of fifteen days, the Respondents shall deal with the same in accordance with Rules and communicate the decision in a reasoned order to the Applicant at an early date.

Send copies of this order along with OA to the Respondents.


Member (Admn.)