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O.A. No.16/2012

ORDER DATED 17th OF JANUARY, 2012

B. Patra.....Applicant

Vrs.

Union of India & OthersRespondents

Coram:

HON'BLE MR. C.R. MOHAPATRA, ADMINISTRATIVE MEMBER

&

HON'BLE MR. A.K. PATNAIK, JUDICIAL MEMBER

Heard Sri P.K. Padhi, Ld. Counsel appearing for the applicant and Sri S. Patra, Ld. Addl. Standing Counsel appearing for the Respondents on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. The prayer of the applicant in this O.A. is to release his Leave Salary with 18% interest. In this respect he has already submitted a representation on 11.02.2011 vide Annexure-A/1 to the P.M.G., Sambalpur Region, Sambalpur (Respondent No.2). The applicant submits that though disciplinary case is pending against him, meanwhile he has retired on 31.08.09. So, he submits that there is no bar to release the Leave Salary for the leave at his credit which is limited to 300 days. Since no decision has been taken by Respondent No.2, Sri P.K. Padhi, Ld. Counsel for the applicant submits that he will be satisfied if a direction will be given to Respondent No.2 who will consider the case of the applicant and release the Leave Salary as due and admissible within a specific time frame.

3. Having regard to the submissions made and as agreed to by the Ld. Counsel for the parties, without going into the merit of the case, Respondent No.2 is hereby directed to consider and dispose of the pending representation vide Annexure-A/1 with a reasoned order for grant of Leave Salary as due and admissible to the applicant within a period of 45 days

from the date of receipt of copy of this order.

4. With the above observation and direction, this O.A. is disposed of at the admission stage itself. No costs.

5. Send copy of this order along with copy of the O.A. to Respondent No.2 for compliance and free copies of this order be made over to the Ld. Counsel for the parties.

W.H.
JUDL. MEMBER

K.B

W.H.
ADMN. MEMBER