

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.150/04

Thursday this the 18th day of March 2004

C O R A M :

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN

Dr.V.R.Sanatkumar,
S/o.V.M.Raghava Panicker,
Scientist/Engineer,
Propulsion Group, VSSC,
Trivandrum.

Applicant

(By Advocate Mr.M.R.Hariraj)

Versus

1. Union of India represented by
the Secretary, Department of Space,
Bangalore.
2. Chairman,
Indian Space Research Institute,
Bangalore - 94.
3. Director,
Vikram Sarabhai Space Centre,
Trivandrum.

Respondents

(By Advocate Mr.C.N.Radhakrishnan)

This application having been heard on 18th March 2004 the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN

The applicant Scientist/Engineer, Propulsion Group, VSSC, Trivandrum submitted Annexure A-7 application for eligible leave for one year for the purpose of accepting Postdoctoral Fellowship for a period of one year offered by the KOSEF through proper channel, simultaneously, sending an advance copy of Annexure A-8 to the 2nd respondent, since the applicant had to be in Korea on 28.2.2004. Finding no response to the leave application, the applicant has filed this application for a direction to the

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respondents to consider and pass orders on the request for grant of sabbatical leave to the applicant for taking up the assignment pursuant to the award of KOSEF Fellowship. On notice Shri.C.N.Radhakrishnan appeared on behalf of the respondents. A statement opposing the admission of the application as also the grant of prayer has been filed. It has been stated in the application that the applicant had remained unauthorisedly absent, that he had already left for Korea without the permission and had published a paper along with a co-author, that for the unauthorised absence for leaving the country without permission and for publishing the paper without leave the applicant was served with a Memorandum of Charges (Annexure R-1), that this fact has been suppressed by the applicant in the application and that the application made by the applicant for leave by Annexure A-7 has been rejected by Annexure R-2 order of the competent authority dated 9.3.2004 and that therefore this application deserves to be rejected.

2. On a scrutiny of the application and annexures as also the statement filed by the respondents and the attendant documents, I find that the Original Application has now become infructuous as the competent authority has already taken a decision on the leave application submitted by the applicant. The prayer in the application being only for a direction to the respondents to consider and pass orders on the request for grant of sabbatical leave to the applicant, the same having been effected by Annexure R-2, I do not find any need for admission of this application and

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further deliberation. Hence this application is rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

(Dated the 18th day of March 2004)


A.V. HARIDASAN
VICE CHAIRMAN

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