

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 195 of 1996

Thursday, this the 19th day of June, 1997

CORAM

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

1. P.K. Kurup, S/o C.M.Govinda Kurup,
residing at Vadakkenellisery House,
PO. Velliparamba, Calicut - 673008
Upper Division Clerk, All India Radio,
Beach Road, Calicut - 673 032 .. Applicant

By Advocate Mr. M.R. Rajendran Nair

Versus

1. The Station Engineer,
All India Radio, Calicut.
2. P.G. Prasannan,
Former Administrative Officer,
All India Radio, Calicut. Now working as
Accountant, High Power Transmitter,
Alleppey.
3. The Director General,
All India Radio,
Akashavani Bhavan, New Delhi. .. Respondents

By Advocate Mr. MHJ David J, ACGSC (R1 & R3)


The application having been heard on 19.6.1997,
the Tribunal on the same day delivered the
following:

ORDER

The applicant seeks to quash A8 order dated 28th
of December, 1995 and to declare that the action of the
respondents in refusing Earned Leave and Leave Travel
Concession to him on the basis of his application dated
26.5.95 is illegal and also to direct the respondents
to compensate him sufficiently for the loss of Earned
Leave and Leave Travel Concession.

2. A8 order dated 28th of December, 1995 is one issued
by the 3rd respondent. At the very outset it cannot,

contd...2

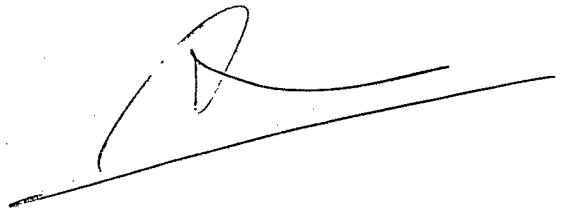


but be said that it is a very cryptic order and one is not in a position to know on what basis the 3rd respondent has arrived at his conclusion. According to the 3rd respondent, as per A8, no injustice has been done to the applicant. The applicant is entitled to know on what ground that conclusion has been arrived at. No reason is stated. An order which is cryptic, ~~without any reason,~~ as A8 cannot be sustained and is only to be quashed.

3. The learned counsel appearing for the applicant submitted that the applicant may be permitted to submit a supplemental representation over and above A7 on which order is to be passed by the 3rd respondent in view of the fact that A8 is only to be quashed.

4. Accordingly, the application is allowed quashing A8 order dated 28th of December, 1995. The applicant is permitted to submit a supplemental representation to the 3rd respondent, through proper channel, within fifteen days from today. The 3rd respondent shall consider A7 representation afresh along with the supplemental representation, if submitted, and dispose of by a speaking order within four months from the date of receipt of the supplemental representation. No costs.

Dated the 19th of June, 1997



A.M. SIVADAS
JUDICIAL MEMBER

LIST OF ANNEXURES

1. Annexure A7: True copy of the representation dated 9.10.95 submitted by applicant to the 3rd respondent.

2. Annexure A8: True copy of the order No.12/2/95-A & G dated 28.12.1995 issued by Section Officer for 3rd respondent to the applicant.

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