

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 241
~~T. A. No.~~

1991

DATE OF DECISION 10.6.92

K.S. Kumaran Applicant (s)

Mr. M. R. Rajendran Nair Advocate for the Applicant (s)

Versus

Executive Engineer, PWD,
Kavarathi and another Respondent (s)

Mr. N.N. Sugunapalan, SCGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. N. DHARMADAN, JUDICIAL MEMBER

~~The Hon'ble Mr.~~

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. To be circulated to all Benches of the Tribunal? No

JUDGEMENT

MR. N. DHARMADAN, JUDICIAL MEMBER

This application is filed under section 19 of the Administrative Tribunals' Act, 1985 challenging Annexure-I Office Memorandum issued by the Executive Engineer directing the applicant to report for duty within seven days from the date of receipt of that O.M.

2. According to the applicant, he was absent from duty on account of illness from 24.3.88 to 23.3.90 and he applied for leave. But the respondents have not sanctioned the same. The prayers in this application reads as follows:

- "i) To set aside Annexure-I order
- ii) Direct the respondent No. 1 to consider and pass orders on the leave application submitted by the applicant within a time limit.

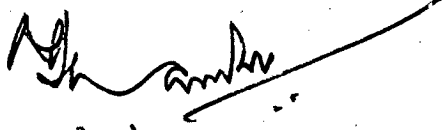
iii) grant such other reliefs as may be prayed for and the Tribunal may deem fit to grant and

iv) grant the cost of this O.A. "

3. At the time when the case was taken for final hearing the learned counsel for the applicant submitted that this application can be disposed of with directions without going into the merits of the case. Accordingly, I direct the applicant to file a detailed representation before the second respondent within a period of three weeks from the date of receipt of a copy of this judgment. If such a representation is filed, the second respondent shall consider and dispose of the same ^{in accordance with law, &} within a period of two months from the date of receipt of the representation.

4. The application is disposed of as above.

5. There will be no order as to costs.



(N. Dharmadan)
Judicial Member
10.6.92

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