

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.327/04

Wednesday this the 5th day of May 2004

C O R A M :

HON'BLE MR. K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER

S.P.Nag,
L.E.M.P., 175958 - F,
Seamanship School,
Naval Base, Kochi - 682 004.

Applicant

(By Advocate Mr.M.P.Krishnan Nair)

Versus

1. Union of India represented by
Secretary, Ministry of Defence,
Central Secretariat, New Delhi.
2. The Commanding Officer,
INS Venduruthi,
Naval Base, Kochi - 682 004.
3. The Officer-in-Charge,
Seamanship School,
Naval Base, Kochi - 682 004.
4. The Chief Instructor,
Seamanship School,
Naval Base, Kochi - 682 004.

Respondents

(By Advocate Mr.C.Rajendran,SCGSC)

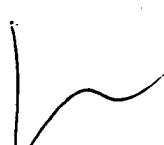
This application having been heard on 5th May 2004 the
Tribunal on the same day delivered the following :

O R D E R

HON'BLE MR. K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicant has filed this O.A. praying for the
following reliefs :

- a. declare that the applicant is entitled to get 28 days' casual leave every year and rejection of application for casual leave for the year 2003-04 submitted by the applicant is highly illegal, malafide in nature, discriminatory in character, ab initio void, unjust, unreasonable and unsustainable ;
- b. declare that the applicant is entitled to get financial benefit of casual leave for the last 12 1/2 years @ 28 days per year with arrears and interest at market rate ;



c. to direct the respondents to sanction casual leave for 20 days for the year 2004 in the month of May, 2004 so that he can go home and avail leave and directly report to duty at Balugaon, Orrisa, with effect from 7.6.04 to which place he is presently transferred.

2. When the case came up for hearing the applicant submitted that since he is not a civilian employee this Court has no jurisdiction and he would like to withdraw the O.A. with liberty to seek the grievance before the appropriate forum.

3. Prayer is granted. The applicant is permitted to withdraw the O.A. Accordingly, the O.A. is dismissed as withdrawn.

(Dated the 5th day of May 2004)

H. P. DAS

ADMINISTRATIVE MEMBER

K. V. SACHIDANANDAN
JUDICIAL MEMBER

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