

LUCKNOW

versus

Respondents.

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3. ~~The fact make it~~ clear that the applicant retired on attaining the age of 58 years. on 31.1.84. He was re-engaged as per instructions of Railway Board to retire as a Teacher of Railway at the age of 60 years and as per Railway Board's letter dated 9.5. 1984 the period from

1.2.1984 to 14.12.1984 was treated as dies non, as no leave was due to his credit. The applicant who retired on 14.5.85, applied for leave from 21.5.85 to 31.5.85 and he was sanctioned leave without pay. ~~The applicant~~ ^{he} applied for premature retirement on account of his ill health but the prayer was rejected and he was advised to join at Jodhpur Division and ~~he~~ ^{where he} joined ~~at Jodhpur Division~~ on 28.8.85. His absence from duty was treated as leave without pay. He was allowed three stagnation increments but the same was cancelled as the period between 1.2.84 to 14.12.84 was treated as dies non and the period has been regularised and the benefit of two years' service has been given to him him from 15.12.84 to 31.12.86, with the result that the applicant has not suffered any monetary loss.

4. The applicant has ^{not} suffered any monetary loss, although he was retired earlier but was re-engaged and vide Railway Board letter, the period between 1.2.84 to 15.12.84 was treated as dies non and the period between 9.5.85 to 27.8.85 was treated as leave without pay ^{which order Submits} and thus the applicant has not suffered any monetary loss ^{and such his claim is not Substantiable}

5. The application has no force and accordingly it is dismissed. No order as to costs.

Lucknow: Dated 2.4.93.


Vice Chairman.

Shakeel/-