

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH, P A T N A

O.A.No.606/96

Date of Decision: 04-12-96

James Arohan, S/o Late Lother Arohan, Ex-Driver Passenger,
Loco/HTE, R/o Anantapur, Doranda, Ranchi.

..... APPLICANT.

Vrs.

1. Union of India through General Manager, S.E.Rly., Garden Reach, Calcutta.
2. Divisional Rly. Manager, Adra Division, Distt. Purulia.
3. Divisional Personnel Officer, S.E.Rly., Adra Division Distt. Purulia.

.... RESPONDENTS.

Counsel for the applicant : Smt. M.M.Pal.

ORDER DICTATED IN OPEN COURT

C O R A M

Hon'ble Mr. K.D.Saha, Member (Administrative)

Hon'ble Mr. D.Purkayastha, Member (Judicial)

O R D E R

Hon'ble Mr. K.D.Saha, Member (A) :

Heard Smt. M.M.Pal, learned counsel for the applicant on the question of admission. The applicant is a retired railway employee. He retired as Driver (passenger), Loco, Hatia under the S.E.Rly. on 30th April, 1996. By this application the applicant prays for issuance of direction to the respondents to have his Leave Average Pay account rechecked and re-calculated.

and for payment of Leave Encashment benefits as admissible under the rules.

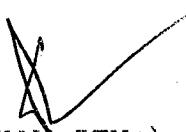
2. The applicant has submitted several representations ~~in~~ to the respondents in this regard. The first representation is addressed to the Divisional Personnel Officer, S.E.Rly., Adra Division, dated 21.10.1995 (Annexure-1) which was followed by another representation to the same authority, dated 20.12.1995 (Annexure-2). A further representation was submitted to the DRM, S.E.Rly., Adra on 06.02.1996, a copy of which is at Annexure-3. It is submitted that the applicant has not received any reply whatsoever in response to these representations.

3. Considering the submissions of the learned counsel for the applicant and also after going through the averments on ~~regard~~, we are of the view that this application can be disposed of by giving a suitable direction to the respondent authorities to dispose of the aforesaid representations of the applicant by ~~giving~~ a reasoned and speaking order, if necessary, by giving a personally hearing to the applicant.

4. Accordingly, we hereby direct the respondent no.2 (DRM, Adra Division, Distt. Purulia) to consider and dispose of the representations of the applicant as per rule ~~0~~ after looking into the relevant record in this regard within a period of 3 months from the date of receipt of a copy of this order alongwith a copy of the O.A., which

we direct, shall be submitted to respondent no.2 by the applicant within one month from now. In case it is found that the applicant is entitled to ~~get~~ some leave encashment benefit, the same ~~should~~ be paid at the earliest, in any case not later than 3 months.

4. The application is disposed of accordingly.


(D. PURKAYASTHA)
MEMBER (J)


(K.D. SAHA)
MEMBER (A)

SKJ