

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 12 AUG 1988

APPLICATION NO. 1040 /87(F)

W.P. NO.

Applicant(s)

Shri S.C. Kundu
To

Respondent(s)

V/s The Manager, Govt. of India Text Books
Press, Mysore & 2 Ors

1. Shri S.C. Kundu
Driver (H.V.)
Govt. of India Text Books Press
Mysore - 570 011
2. Shri S. Ganesh Shenoy
Advocate
21, 2nd Cross, Sampige Road
Malleswaram
Bangalore - 560 003
3. The Manager
Govt. of India Text Books Press
Mysore - 570 011

4. The Deputy Secretary to the
Govt. of India
Ministry of Personnel & Training,
Administrative Reforms,
Public Grievances & Pension
North Block
New Delhi - 110 001
5. The Chief Administrator
Dandakaranya Development
Authority
Koraput (Headquarters)
Orissa
6. Shri M. Vasudeva Rao
Central Govt. Sng Counsel
High Court Building
Bangalore - 560 001

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/INTERIM ORDER
passed by this Tribunal in the above said application(s) on 9-8-88.

[Signature]
DEPUTY REGISTRAR
(JUDICIAL)

[Signature]
16-8-88
Encl : As above

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 9TH DAY OF AUGUST, 1988

Present: Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman
and
Hon'ble Shri P. Srinivasan, Member(A)

APPLICATION NO. 1040/87

Shri S.C. Kundu,
s/o Shri Rameshchandra Kundu,
Driver(H.V.) Govt. of India-
Text Books Press, Mysore.

.... Applicant.

(Shri S.G. Shenoy, Advocate)

v.

1. The Manager,
Government of India-
Text Books Press,
Mysore.
2. The Dy. Secretary to the
Govt. of India, M/o Personnel
and Training, Administrative
Reforms, Public Grievances and
Pensions, North Block,
New Delhi.
3. The Chief Administrator,
Dandakaranya Development Authority,
Koraput (Head Quarters),
Orissa.

.... Respondents.

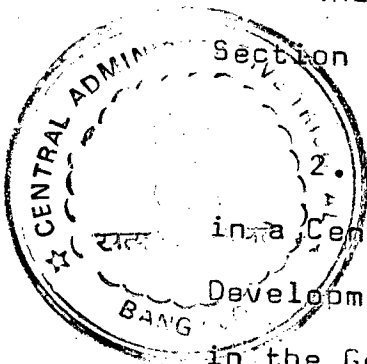
(Shri M. Vasudeva Rao, C.G.A.S.C.)

This application having come up for hearing to-day,
Vice-Chairman made the following:

ORDER

This is an application made by the applicant under
Section 19 of the Administrative Tribunals Act, 1985 ('Act').

2. The applicant who was formerly working as a Truck Driver
in a Central Government organisation called the Dhandakaranya
Development Authority became surplus and has been absorbed
in the Government of India Text Book Press, Mysore (Press).



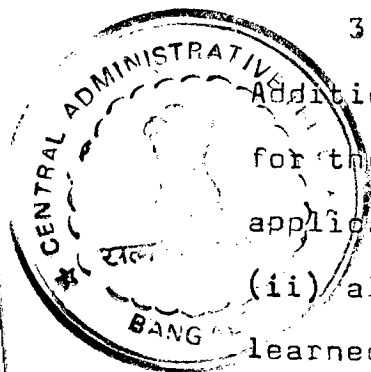
On that absorption, the applicant had claimed various benefits which were not acceded to by the Respondents. Hence the applicant had approached this Tribunal seeking for the following reliefs:-

- (i) to direct the 1st respondent to revise the payscale of the applicant suitably taking into account the assurances/ guidelines in Notification with regard to redeployment of persons in surplus cell;
- (ii) declare that applicant is entitled for 30 days Earned Leave for every completed year of service and that applicant is entitled for 2 days R.H. and as also "Leave Not Due" with half pay in special cases;
- (iii) declare that applicant is not an industrial employee and provisions of Factories Act with regard to leave are not applicable to him;

In their reply the Respondents have resisted the application on diverse grounds.

3. But at the hearing, Shri M. Vasudeva Rao, learned Additional Central Government Standing Counsel appearing for the Respondents submits that relief (i) sought by the applicant had been granted in its entirety and that relief (ii) also had been granted substantially. Shri S.G. Shenoy learned counsel for the applicant does not dispute the correctness of the submissions made by Shri Rao.

4. We find from a latter order made that the applicant had been allowed 27 days earned leave as against 30 days claimed by him. Shri Rao also informs us that the



applicant is entitled to two restricted holidays in addition to 27 days of earned leave.

5. On the facts and circumstances noticed by us, this application does not really survive for our consideration. We, therefore, dismiss this application as having become unnecessary. No costs.

Sd/-
VICE-CHAIRMAN 9/8/88

Sd/-

MEMBER (A)

TRUE COPY



[Signature]
DEPUTY REGISTRAR (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE