CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
BANGALORE - 560 038.

Dated: 4 APR 1995

APPLICATION NO. 781 of 1995.

APPLICANTS: Mr.A.Ramesh,

V/S.

RESPONDENTS: Secretary,M/o.Health & Family Welfare,
New Delhi and two others.,

To

1. Sri.Harikrishna S.Holla,
Advocate,No.#34/3,II-Floor,
Fifth Main,Gandhinagar,
Bangalore-560009;

2. Sri.M.Vasudeva Rao,Addl.CGSC,
High Court Bldg,Bangalore-1.

Subject:- Forwarding copies of the Orders passed by the Central Administrative Tribunal,Bangalore-38.

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Please find enclosed herewith a copy of the Order/Stay Order/Interim Order, passed by this Tribunal in the above mentioned application(s) on 28-03-1995.

Issued on 5/4/95

for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

gm*

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE BENCH.

ORIGINAL APPLICATION NUMBER 751 OF 1995

TUESDAY, THIS THE 28TH DAY OF MARCH,1995.

Mr T. V .Ramanan, Member(A)

Mr.A.Ramesh,
Pharmacist, S/o C.Ayothi,
Aged about 44 years,
CGHS Dispensary No.2,
Malleswaram, Bangalore-560 003. .. Applicant.

(By Advocate Shri H.K.S.Holla)

v.

1. Union of India by
   Health Secretary,
   Ministry of Health & Family
   Welfare, Nirman Bhavan, New Delhi.
2. The Director,
   Central Government Health Scheme,
   Nirman Bhavan, New Delhi.
3. The Deputy Director,
   Central Government Health Scheme,
   Infantry Road, Bangalore-560 001. Respondents.

(By Standing Counsel Shri M.Vasudeva Rao)

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O R D E R

In this application under Section 19 of the Administrative Tribunals Act,1985, the applicant has sought relief vis-a-vis the orders of respondent-3 dated 19-08-1992 and 3-5-1993 by which tne leave sanctioned to the applicant on medical grounds by the same authority stands cancelled and the period of absence from duty is treated as dies non. This case is in all fours with the case decided by this Tribunal in N.LAKSHMANA REDDY v. UNION OF INDIA AND OTHERS [O.A.NO.1585 of 1994 decided on 18-01-1995]. The learned counsel for the respondents points out some delay in the applicant approaching this Tribunal.

So was the position in the application earlier disposed of by this Tribunal referred to supra. But, there also the delay was overlooked and condoned. Similar treatment is called for herein too.

2. Abiding by the order earlier passed by this Tribunal in Lakshmana Reddy's case supra, I quash the endorsements at Annexures-A1 and A3 and maintain that the leave sanctioned to the applicant would stand. Any salary recovered by the authorities from the applicant on this account will have to be paid back to him within a month from the date of receipt of a copy of this order.

3. This application is decided accordingly. No costs.

Sd-

MEMBER(A)

CENTRAL ADMINISTRATIVE TRIBUNAL BANGALORE

TRUE COPY

Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore