

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

XXX.
O.A. No. 368/91 198
T.A.-No.

DATE OF DECISION 30.4.92

H. Shanker Singh Petitioner

Mr. V. Krishna Rao Advocate for the Petitioner(s)

Versus
Chief Personnel Officer, S.C.Rly,
Secunderabad. Respondent

Mr. D. Gopal Rao Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R. BALASUBRAMANIAN, MEMBER (ADMN.)

The Hon'ble Mr. T. CHANDRASEKHARA REDDY, MEMBER (JUDL.)

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

MGIPRRND-12 CAT/86-3-12-86-15,000

(HRBS)
M(A)

(HTCSR)
M(J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

O.A.No. 368/91

Date of Order: 30.4.92

BETWEEN :

H. Shanker Singh

.. Applicant.

AND

Chief Personnel Officer,
South Central Railway,
Secunderabad.

.. Respondents

Counsel for the Applicant

.. Mr.V.Krishna Rao

Counsel for the Respondents

.. Mr.N.Rajeswara Rao for

Mr.D.Gopal Rao, S.C. (Up.)

CORAM:

HON'BLE SHRI R.BALASUBRAMANIAN, MEMBER (ADMN.)

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

(Order of the Division Bench delivered by
Hon'ble Shri R.Balasubramanian, Member (Admn.)).

T-5.2

To

1. The Chief Personnel Officer,
S.C.Railway, Secunderabad.
2. One copy to Mr.v.Krishna Rao, Advocate, CAT.Hyd.
3. One copy to Mr.D.Gopal Rao, SC for Rlys, CAT.Hyd.
4. One spare copy.

pvm.

Massachusetts
17 October 1915

(82)

This application is filed by Sri H. Shankar Singh against the Chief Personnel Officer, South Central Railway, Secunderabad seeking a direction from this Tribunal to the respondents to pay the balance encashment of leave of 105 days at his retirement.

2. The applicant superannuated from service on 31.7.90. The applicant is eligible for encashment of 240 days leave at the time of his retirement, and he should paid cash equivalent to the 240 days. The applicant was however actually paid leave encashment equivalent to 135 days only. Therefore, it is the case of the applicant that he should paid the encashment equivalent to 105 days also.

3. The respondents have filed a counter and opposed the case. It shows that on the date of superannuation he had only 135 days leave to be credited.

4. We have examined the case and we have heard Mr. V. Krishna Rao, Advocate for the applicant and Mr. N. Rajeswara Rao for Mr. D. Gopal Rao, Standing counsel for the respondents. We have also perused the records of leave account produced by the Railways. We find that record that the leave account has been maintained properly on the date of the retirement. The applicant had actually 135 days ^{bill} leave at his credit. Under these circumstances we consider that the respondents have acted ~~accordingly~~ correctly and dismiss the application with no order as to costs.

R. Balasubramanian
(R. BALASUBRAMANIAN)
Member (Admn.)

T. Chandrasekhara Reddy
(T. CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 30th April, 1992
(Dictated in the Open Court)

sd

*Deputy Registrar (J),
6592*

3
TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

THE HON'BLE MR.

V.C.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY:
MEMBER (JUDL)

AND

THE HON'BLE MR. C.J. ROY : MEMBER (JUDL)

Dated: 30-4-1992.

ORDER / JUDGMENT

R.A./C.A./M.A. No.

O.A. No. 368/91

T.A. No. (W.P. No.)

Admitted and interim directions
issued

Disposed of with directions

Dismissed

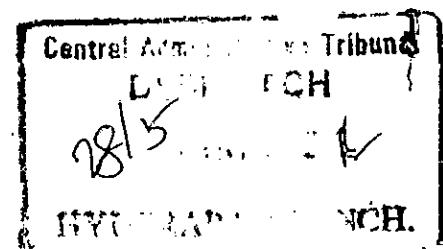
Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/Rejected.

No order as to costs.

pvm.



This application is filed by Sri H. Shankar Singh against the Chief Personnel Officer, South Central Railway, Secunderabad seeking a direction from this Tribunal to the respondents to pay the balance encashment of leave of 105 days at his retirement.

2. The applicant superannuated from service on 31.7.90. The applicant is eligible for encashment of 240 days leave at the time of his retirement, and he should be paid cash equivalent to the 240 days. The applicant was however actually paid leave encashment equivalent to 135 days only. Therefore, it is the case of the applicant that he should be paid the encashment equivalent to 105 days also.

3. The respondents have filed a counter and opposed the case. It shows that on the date of superannuation he had only 135 days leave to be credited.

4. We have examined the case and we have heard Mr. V. Krishna Rao, Advocate for the applicant and Mr. N. Rajeswara Rao for Mr. D. Gopal Rao, Standing counsel for the respondents. We have also perused the records of leave account produced by the Railways. We find from that record that the leave account has been maintained properly on the date of the retirement. The applicant had actually 135 days leave at his credit. Under these circumstances we consider that the respondents have acted correctly and dismiss the application with no order as to costs.

CERTIFIED TO BE TRUE COPY

W. S. V. Rao
Date..... 6/5/91
Court Officer
Central Administrative Tribunal
Hyderabad Bench
Hyderabad.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

O.A.No. 368/91

Date of Order: 30.4.92

BETWEEN:

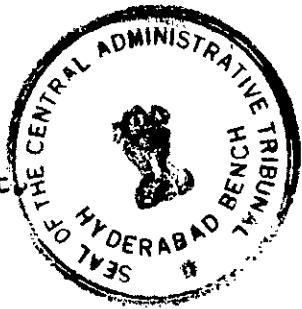
H. Shanker Singh

.. Applicant.

AND

Chief Personnel Officer,
South Central Railway,
Secunderabad.

.. Respondent



Counsel for the Applicant

.. Mr. V. Krishna Rao

Counsel for the Respondents

.. Mr. N. Rajeswara Rao for

Mr. D. Gopal Rao, S.C. (By.)

CORAM:

HON'BLE SHRI R. BALASUBRAMANIAN, MEMBER (ADMN.)

HON'BLE SHRI T. CHANDRASEKHARA REDDY, MEMBER (JUDL.)

(Order of the Division Bench delivered by
Hon'ble Shri R. Balasubramanian, Member (Admn.)).

T - C. R. *[Signature]*

To

1. The Chief Personnel Officer,
S.C.Railway, Secunderabad.
2. One copy to Mr.V.Krishna Rao, Advocate, CAT.Hyd.
3. One copy to Mr.D.Gopal Rao, SC for Rlys, CAT.Hyd.
4. One spare copy.

pvm.