

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.888/91

date of decision : 17-12-92

Between

Khalinder Baig

: Applicant

and

1. Divisional Railway Manager
Guntakal

2. Senior Divisional Personnel
Officer
South Central Railway
Guntakal

: Respondents

Counsel for the applicant

: V. Krishna Rao
Advocate

Counsel for the respondents

: Jalli Siddaiah, Standing
Counsel for Railways

CORAM

HON. MR. R. BALASUBRAMANIAN, MEMBER (ADMN.)

HON. MR. T. CHANDRASEKHARA REDDY, MEMBER (JUDL.)

Judgement

(Orders as per Hon. Mr. R. Balasubramanian, Member (Admn.)

OA.888/91 is filed with a prayer to direct the respondents No.1 and 2 to pay leave encashment for 227 days being the balance between 240 days which is maximum that one can accumulate and ~~one~~ 13 days encashed already by him. The applicant joined Railway service on 13-2-1952 and retired as Assistant Guard on 31-12-1989. It is his case ^{that} over ~~these~~ long service he has accumulated 240 days leave on average pay (LAP) to his credit. He is aggrieved that the respondents had allowed

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15/12/92

Copy to:-

1. Divisional Railway Manager, Guntakal.
2. Senior Divisional Personnel Officer, South Central Railway, Guntakal.
3. One copy to Sri. V. Krishna Rao, advocate, 12-11-1444, Boudhnagar, Sec-bad.
4. One copy to Sri. Jalli Siddaiah, SC for Rlys, CAT, Hyd.
5. One spare copy.

Rsm/-

3 20 2 1/2
R. S. Rao

encashment only for 13 days instead of full quantum of 240 days as claimed by him. He has represented and not getting satisfactory reply he has filed this OA.

2. Heard counsel for rival sides.

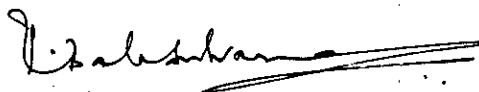
3. The respondents opposed the application and filed counter affidavit.

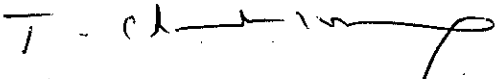
4. It is ~~therefore~~ case of the respondents that according to the leave account, duly certified by the competent authority, ~~it is maintained by them that~~ on 31-12-1989, the day of his retirement, the applicant had only 13 days LAP to his credit.

5. We have seen the original record maintained by the Railways right from the date of his entry into the service.

We find that all credits are being given to him at the relevant points of time and debits also shown ~~as~~ ^{leave} and when he availed of ~~this nature~~. We find at the end of the record it has been duly certified that there was a balance of only 13 days leave on 31-12-1989.

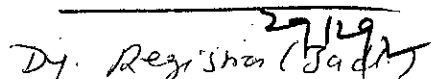
6. We do not find any defect in the records maintained by the respondents and hence dismiss the application with no order as to costs.


(R. Balasubramanian)
Member (Admn)


(T. Chandrasekhara Reddy)
Member (Judl)

dated : December 17, 1992
Dictated in the Open Court

sk


Dy. Registrar (Judl)

Court --- 3/-

R.M. (3)
29/12/91 O.A. 888/91

TYPED BY _____ COMPARED BY _____
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CHECKED BY _____ APPROVED BY _____
HYDERABAD BENCH
HYDERABAD

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH; AT HYDERABAD

THE HON'BLE MR. _____ V.C.

AND

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

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY: M(J)

AND

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

Dated: 17/12/1992

ORDER/JUDGMENT:

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

in

O.A. No.

888/91

~~T.A. No.~~

(W.P. No. _____)

Admitted and Interim Directions issued

Allowed

Disposed of with directions

Dismissed

Dismissed as with drawn

Dismissed for default

M.A. Ordered/Rejected

No order as to costs.

pvm.

