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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

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OA NO. 671/92

Date of judgement: 7-1-93

Between

Shri M.L. Sharma : Applicant

And

1. Chief Mining Adviser,  
Railway Board, Dhanbad
2. Dy. Chief Mining Adviser,  
Railway Board, Nagpur.
3. Sr. Inspecting officer,  
Railway Board, Nagpur.
4. Asst. Divisional Medical Officer,  
South Central Railway, Bellampalle.
5. Senior Medical Supdt./Administration,  
Railway Hospital, Lallaguda

: Respondents.

COUNSEL FOR THE APPLICANT

S/S

: G.V. Subba Rao

COUNSEL FOR THE RESPONDENTS

: N.R. Devaraj

CORAM

Hon'ble Shri R. Balasubramanian, Member (Admn.)

Hon'ble Shri T. Chandrasekhar Reddy,  
Member (judl.)

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(Judgement of the division bench as delivered by  
Shri R. Balasubramanian, Member (Admn.)

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This OA was specifically posted for orders to-day since the issue involved was a very simple one as to whether the applicant was at all hospitalised during the period from 11-2-91 to 26-7-91 for which period he now prays full pay and allowances according to Railway rules. Apart from the applicant's inability to establish that he was

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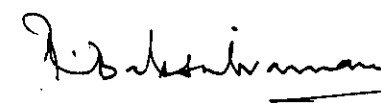
To

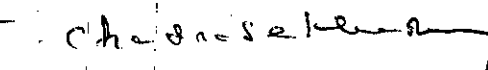
1. The Chief Mining Adviser, Railway Board, Dhanbad.
2. The Deputy Chief Mining Adviser, Railway Board, Nagpur.
3. The Sr. Inspecting Officer, Railway Board, Nagpur.
4. The Assistant Divisional Medical Officer, S.C. Railway, Bellampalle.
5. The Senior Medical Superintendent/Administration, Railway Hospital, Lallaguda.
6. One copy to Mr. G.V. Subba Rao, Advocate, CAT. Hyd.
7. One copy to Mr. N.R. Devraj, Sr. CGSC. CAT. Hyd.
8. One spare copy.

pvm.

hospitalised at the Railway Hospital, Lallaguda during the above mentioned period, in the counter there is categorical denial that the applicant was in the Lallaguda hospital during this period. The respondents have drawn our attention to the certificate dated 27-3-91 issued by the Private Clinic (Rekha Clinic, Bellampalli) which states that the applicant was under treatment in the clinic from 21-3-91 to 27-3-91 for sprain in the left ankle. In the rejoinder filed by the applicant, the applicant has come out with the truth and admits that he was not actually in the hospital from 11-2-91 to 26-7-91. According to him what he meant by hospitalisation was that he was sick and his mention about hospitalisation was inadvertant. He is not even able to show any evidence that he was under going treatment at Lallaguda hospital during the entire period. Since it is now <sup>clear</sup> admitted ~~by the applicant~~ that he was not hospitalised during that period, the question of hospital leave does not arise.

We have no hesitation in dismissing this OA with no order as to costs.

  
(R. Balasubramanian)  
Member (Admn.)

  
(T. Chandrasekhara Reddy)  
Member (Judl.)

Open court judgement

Dated 7th December, 1993.

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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: 7-1-1992

ORDER/JUDGMENT:

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

in

O.A. No.

671/92

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.

