

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH

HYDERABAD

O.A. NO. 808/95

Between:

Date of Order: 24.7.95.

T.Satyanarayana Murthy

...Applicant.

And

1. The Director, Central Research Institute for Dryland Agriculture (ICAR), Santhoshnagar, Hyderabad.
2. The Senior Administrative Officer, Central Research Institute for Dryland Agriculture (ICAR), Santhoshnagar, Hyderabad.
3. The Director General, Indian Council of Agricultural Research, Krishi Bhawan, New Delhi.

...Respondents.

Counsel for the Applicants : Mr.K.K.Chakravarthi

Counsel for the Respondents : Mr.N.R.Devraj, Sr.CCBC

GORM:

THE HON'BLE SHRI A.B.GORTHI : MEMBER (A)

contd...

X As per Hon'ble Shri A.B.Gorthi, Member (Admn.) X

The applicant who is working as a Senior Clerk in CRIDA, Hyderabad could not attend office on 10.2.94 and 18.4.94 on account of local BANDH observed on those days. His request to the authorities concerned for treating him as on special casual leave on those 2 days was rejected. The applicant then requested for casual leave on those 2 days but it was stated by the respondents that he has no C.L. to his credit. He was advised to apply for Earned Leave (E.L.). He did so but there was no response from the respondents.

2. Heard learned counsel both the parties. Mr. K.K. Chakravarthy, learned counsel for the applicant states that the applicant could not attend office on the 2 relevant dates for reasons beyond his control. The departmental transport did not ^{not} ~~ply~~ and there was ^{no} ~~any~~ other transport arrangement to go to the office. Under ^{these circumstances} ~~this~~ the respondents should ^{have} ~~not~~ sanctioned the Special Casual Leave to the applicant or atleast adjusted his absence against any other leave due to the applicant.

3. Mr. N.R.Devraj, learned standing counsel for the respondents states that he has been duly instructed by the department in this case and that he had drafted the counter affidavit. However, as per instructions there was good attendance in the respondents' establishments on those 2 days and the authorities concerned rightly came to the

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To

1. The Director, Central Research Institute for Dryland Agriculture (ICAR), Santhoshnagar, Hyderabad.
2. The Senior Administrative Officer, Central Research Institute for Dryland Agriculture (ICAR), Santhoshnagar, Hyderabad.
3. The Director General, Indian Council of Agricultural Research, Krishi Bhavan, New Delhi.
4. One copy to Mr.K.K.Chakravarthi, Advocate, CAT, Hyderabad.
5. One copy to Mr.N.R.Devraj, Sr.CGSC, CAT, Hyderabad.
6. One copy to Library, CAT, Hyderabad.
7. One spare copy.

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conclusion that the applicant absented on those 2 days without reasonable justification. However the respondents took a lenient view of the matter and were willing to adjust the absence of the applicant on those 2 days against leave due to him. If there was any delay in this regard it was on account of the stubborn attitude ~~to~~ adopted by the applicant, in continuing to agitate that the 2 days absence should be treated as Special Casual Leave or be adjusted against some Compensatory Leave claimed to be due to him.

4. It is further stated in the OA that the applicant performed Election duty on 1.12.94 and fell sick on 3.12.94. He applied for E.L. for 3.12.94 also and the said request is still pending with the respondents.

5. From the Annexures enclosed to the OA an impression is created that the applicant became somewhat argumented ^{alive} with his seniors. Notwithstanding ~~to say~~ ^{the same}, since the department itself advised him to apply for E.L. and he immediately did so on 20.12.94 as can be seen from Annexure A-7 to the OA, it will be just and fair if the respondents consider the request of the applicant for E.L. on those 3 days, i.e., on 10.2.94, 18.4.94 and 3.12.94.

6. In view of the above, the OA is disposed of with a direction to the respondents to consider the request of the applicant for grant of E.L. on those 3 days i.e. 10.2.94, 18.4.94 and 3.12.94 and pass necessary orders thereon as early as possible and in any case within a month from the date of communication of the order.

7. OA is ordered accordingly at the admission stage itself with no order as to costs.

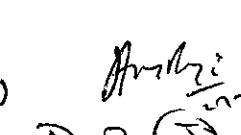

(A.B. GORTANI)

Member (Admn.)

Dated: 24th July, 1995

(Dictated in Open Court)

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D.R. (J)

Contd...

TYPED BY
CHECKED BY

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

THE HON'BLE SHRI T.A.V.HARIDASAN: MEMBER (J)

AND

THE HON'BLE SHRI A.B.GORTHI: MEMBER (a)

DATED 24-7-95

ORDER/JUDGMENT

M.A.NO/R.P.NO./C.P.NO.

in

O.A.NO. 808/95

Admitted and Interim directions issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default

Rejected/Ordered.

No order as to costs.

(COP)

YLR

