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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.177 of 1996

DATE OF JUDGEMENT: 4.6.96

BETWEEN:

N.R. DEVARAJ

and

1. The Principal Scientific Officer,
Ministry of Non-conventional Energy Sources,
Southern Region, Basant Nagar,
Rajaji Apartments, Madras 600090,
2. The Sr. Scientific Officer,
Ministry of Non-Conventional Energy Sources,
Regional Office, 1-11-222/6/D,
Begumpet, Hyderabad - 6 .. Respondents.

COUNSEL FOR THE APPLICANT: SHRI V. KRISHNA RAO

COUNSEL FOR THE RESPONDENTS: SHRI N.R. DEVARAJ, SR. CGSC

CORAM:

HON'BLE SHRI R. RANGARAJAN, MEMBER (ADMINISTRATIVE)

JUDGEMENT

Heard Shri V. Krishna Rao, learned counsel for the applicant and Shri N.R. Devaraj, learned standing counsel for the respondents.

2. The applicant in this OA while working as LDC in the Regional Office, MNES, Hyderabad was transferred to Guwahati Regional Office by the order dated 10.3.1993. It is stated that he submitted leave letter in April 1993 requesting for leave from 7.4.93 to 21.4.93 and commuted leave from 21.4.93 onwards on medical certificate dated 21.4.93. It is further stated that he remained on sick

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(12)

leave from 1.5.93 to 15.10.93 for treatment under Civil Assistant Surgeon, Gandhi Hospital, Secunderabad. It is further stated that the applicant's transfer was cancelled ^{subsequently} and he was retained in Hyderabad. The applicant was granted EOL for 210 days from 23.3.93 to 18.10.94 by R-2 by the order dated 3.10.94 at Annexure A-5, Page 10. The applicant states that the above said period of EOL should be treated as E.L. available in his account. By his letter dated 3.9.94, the applicant requested to treat the sick period as EL. He also submitted another representation dated 30.9.94 enclosing medical certificate for the period from 1.5.93 to 15.10.93 for granting him commuted leave. In the meantime, the Under Secretary, Government of India addressed a letter to the Director, Regional Officer, MNES, Hyderabad suggesting to treat the entire leave period of the applicant with effect from 22.3.93 to 17.10.93 as leave due and admissible and thereafter regularise his increments under the normal rules, vide letter No.152/15/88-Admn.I, dated 21.7.94 at Annexure A-2. But it is the grievance of the applicant that the said period is being treated as EOL and is not revised as leave due and admissible to him. He submitted further representation dated 24.7.95 to R-1 (Annexure A-6). This representation is reported to be unanswered so far.

3. In view of ~~the above~~ pending disposal of the representation, R-1 should decide the issue in accordance with the rules taking note of the recommendations of the Under Secretary to Govt. of India dated 21.7.94 at Annexure

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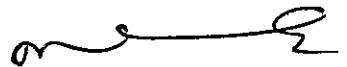
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A-2 within a reasonable period.

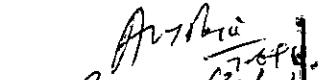
4. In the result, following direction is given:-

R-1 should dispose of the representation of the applicant dated 24.7.95 (Annexure A-6) taking due note of the letter dated 21.7.94 (Annexure A-2, which was received three months from the date of receipt of a copy of this order.

5. The OA is ordered accordingly. No costs.


(R. RANGARAJAN)
MEMBER (ADMN.)

DATED:- 4th June, -1996
Open court dictation.


Dy. Registrar (Sd.)

vsn

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D.A.NO.177/96

Copy to:

1. The Secy-Non-Conventional Energy Sources,
Southern Region, Basant Nagar,
Rajaji Apartments, Madras - 600 090.
2. The Senior Scientific Officer,
Ministry of Non-Conventional Energy Sources,
Regional Office, 1-11-222/6/D,
Begumpet, Hyderabad. - 6.
3. One copy to Mr.V.Krishna Rao, Advocate,
CAT, Hyderabad.
4. One copy to Mr.N.R.Devraj, Sr.CGSC,
CAT, Hyderabad.
5. One copy to Library, CAT, Hyderabad.
6. One copy for Duplicate.

YLKR

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17/7/96
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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

DATED: 4.6.96

ORDER/JUDGEMENT

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

IN

B.A.NO. 177/96

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDERS AS TO COSTS

* * *

No Spare Copy

