

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 14.8.95.

OA No.353/95

N.K. Mathur s/o Shri Kanmal Mathur, 59, Anand Nagar, Ajmer.

...APPLICANT.

VERSUS

1. Union of India through General Manager, Western Railway, Churchgate, Bombay.
2. Divisional Railway Manager, Western Railway, Ajmer.
3. Divisional Personnel Officer, Western Railway, Ajmer.

...RESPONDENTS.

CORAM:

HON'BLE MR. GOPAL KISHNA, VICE CHAIRMAN

For the Applicant ... Shri W. Wales
For the Respondents ...

O R D E R

PER HON'BLE MR. GOPAL KISHNA, VICE CHAIRMAN

Applicant, N.K. Mathur, has filed this application u/s 19 of the Administrative Tribunals Act, 1985, assailing the order dated 28.11.94 (Ann.A-1). The applicant has claimed a direction to respondent No.3 for making payment of the balance amount of Rs.13,440/- in respect of the un-utilised leave on average pay for 100 days, together with dearness allowance, as admissible under rules.

2. Heard the learned counsel for the applicant.
3. The applicant was appointed as Assistant Booking Clerk - Leave Reserve (Commercial Department) scale Rs.60-150 in the Railways on 5.10.58 and after rendering over 34 years of service, retired from Railway Service on attaining the age of superannuation w.e.f. 30.4.93. At the time of his retirement, he held the post of Chief Booking Clerk scale Rs.1600-2660 (P) at Ajmer Station. The applicant states that he was paid leave-encashment for 140 days of un-utilised leave on average pay, and in fact he should have been paid leave-encashment for 240 days. The learned counsel for the applicant has drawn my attention to RBE No.5/93 on the subject, "Recasting of leave accounts of the ~~Govt~~ employees whose leave accounts reported to be missing", No.E(G)91

LEI-3, dated 13.1.93. The learned counsel for the applicant states that he intends to make a fresh representation to the concerned authority for grant of the balance of the leave-encashment in terms of the letter, referred to above.

4. This OA is disposed of at the stage of admission with a direction to respondent No.2 that if the applicant makes a fresh representation to him in regard to his grievance within a period of one month from the date of this order, the same be re-examined in terms of letter No.E(G)91 LEI-3, dated 13.1.93, on the subject, "Recasting of leave accounts of the employees whose leave accounts reported to be missing" and a decision in regard to the grant of the balance of the leave encashment, if any, due to the applicant, be taken within a period of two months from the date of receipt of the representation. If the applicant is aggrieved by any decision taken on his representation, he shall be at liberty to file a fresh OA, if so advised.

GK
(GOPAL KRISHNA)
VICE CHAIRMAN

VK

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