

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

OA 401/99

DATE OF ORDER : 14.11.2002

Mahendra Singh son of Shri Sukh Ram, Khalasi(Depot) at Railway Station, Phulera, District Jaipur

...Applicant.

VERSUS

1. Union of India through General Manager, Western Railway, Head Office, Churchgate, Mumbai.
2. Divisional Railway Manager (Estt.), DRM Office, Near Railway Station, Jaipur.
3. Assistant Engineer, Western Railway, Phulera, District Jaipur.

....Respondents.

Mr. Manoj Pareek, Counsel for the applicant.

Mr. T.P. Sharma, Counsel for the respondents.

CORAM

Hon'ble Mr. G.C. Srivastava, Member (Administrative)

Hon'ble Mr. M.L. Chauhan, Member (Judicial)

ORDER (ORAL)

PER HON'BLE MR. G.C. SRIVASTAVA, MEMBER (ADMINISTRATIVE)

Heard the learned counsel for the parties.

2. In this OA, applicant who was working as Khalasi under the respondents has claimed the following reliefs:-
- i) to issue an appropriate order or direction to decide the leave case of the applicant.
  - ii) to issue an appropriate order or direction the respondents be directed to give the monthly salary to the applicant alongwith all the arrears with interest @ 24% per annum. Any other appropriate relief which this Hon'ble Tribunal deem fit and proper in the facts and circumstances

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of the case may kindly be granted.

3. The respondents have filed the reply and have stated that the applicant was asked to join duty and the learned counsel for the applicant confirms that the applicant joined duty on 13.2.98 and is getting regular salary. The learned counsel for the applicant submits that the only question which remains to be decided about the period for which the applicant had been absent w.e.f. 7.11.97 to 9.2.98 for which he has not received any salary.

4. <sup>decision</sup> After decision at Bar, both the counsel agreed that the OA can be disposed of with the direction to the applicant to submit a representation for sanction of leave which is due and the respondents be directed to consider the same and pass an appropriate order.

5. Under the circumstances, we direct that if the applicant submits his representation alongwith application for sanction of leave for the above period w.e.f. 7.11.97 to 9.2.98 within one month from today, the respondents shall consider sanction of leave of the kind due as per rules and finalise the payment within three months of the receipt of the said representation from the applicant.

6. With the above direction, the OA stands disposed of. No order as to costs.

*W.D.L.*  
(M.L. BHATTAN)  
MEMBER (J)

*C. Srivastava*  
(G.C. SRIVASTAVA)  
MEMBER (A)

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