

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A.No.65/1999

Date of order: 19.2.1999

K.Benjamin, aged 63 years, S/o Shri S.M.Benjamin, resident of Kesar Villa, 1020/I, Christianganj, Ajmer.

...Applicant.

Vs.

1. The Union of India, through the General Manager, Western Railway, Churchgate, Mumbai.
2. The Divisional Railway Manager, Western Railway, Ajmer.
3. D.S.T.E, Western Railway, Ajmer.
4. Divisional Accounts Officer, Western Railway, Ajmer.

...Respondents.

Mr.W.Wales - Counsel for applicant.

CORAM:

Hon'ble Mr.Ratan Prakash, Judicial Member.

PER HON'BLE MR.RATAN PRAKASH, JUDICIAL MEMBER.

Applicant herein Shri K.Benjamin has approached this Tribunal under Sec.19 of the Administrative Tribunals Act, 1985, seeking a direction against respondent No.2 to treat the period 1.3.90 to 5.5.90, total 42 days as commuted leave being on medical grounds and also to re-adjust the applicant's HLAP account by debiting 84 days (42 days x 2) against the leave balance of HLAP of 90 days as standing to his credit at the time of his retirement on 28.2.1994. He has further prayed to direct respondent No.2 to arrange payment in respect of encashment leave of these 42 days, as per the instructions of the Government.

2. It is made out from the pleadings made by the counsel for the applicant that the applicant has already submitted a representation to respondent No.2 on 8.8.1994 as at Annx.A4 followed by another representation dated 12.8.1997; but the respondents have not disposed of the aforesaid representations of the applicant.

3. In view of it, respondent No.2, the Divisional Railway Manager, Western Railway, Ajmer, is directed to dispose of the aforesaid representations of the applicant as at Annx.A4 dated 8.8.1994 and Annx.A6 dated 12.8.1997 within a period of 2 months from the date of its receipt by a detailed, speaking and reasoned order. In case, the applicant still remains aggrieved by the decision of the respondents, he is at liberty to approach the appropriate forum, if permissible under law.

4. The O.A stands disposed of accordingly at the stage of admission. A copy of this order be supplied to the parties.


(Ratan Prakash)
Judicial Member.