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CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT COURT SITTING, GWALIOR

ORIGINAL APPLICATION NO. 540 of 2006

Gwalior, this the 5th day of September, 2006

Hon'ble Dr.G.C.Srivastava – Vice Chairman
Hon'ble Shri A.K.Gaur – Judicial Member

Ashok Kumar Chourishi,
S/o. Late Shri Ram Narayan
Chourishi, Aged 53 years,
Occupation – Assistant Account
Officer, O/o. A.G. (A and E)-I,
M.P., Gwalior, R/o. 487,
Type-III, Shastri Nagar,
District – Gwalior (MP).

- Applicant

(By Advocate – Shri S.C. Sharma)

Versus

1. The Union of India, through
the Comptroller and Auditor
General of India, Bahadur
Shah Zafer Marg, New Delhi.
2. The Accountant General (A&E)-I,
M.P., Gwalior.
3. Commissioner, M.P. Housing Board,
Paryavas Bhawan, Mother Teresa
Marg, Bhopal.
4. Deputy Commissioner, M.P. Housing
Board, Circle, Ujjain.

- Respondents

ORDER (Oral)

By Dr. G.C. Srivastava, Vice Chairman –

The applicant through this Original Application has prayed for the following relief:

“(A) That, respondents Nos. 1 to 2 and 4 may kindly be ordered or directed to make payment of salary for the sanctioned period of leave from 28.5.1999 to 24.7.1999 along with 16% interest thereon,



(B) That, respondents Nos. 1 to 2 and 4 may kindly be ordered or directed to make payment for the joining period from 25.7.1998 to 3.8.1999 along with interest thereon,

(C) That, respondent No. 1 and 2 and 4 may kindly be ordered/directed to make payment of the medical bill (reimbursement) Rs. 488=95/-+498=95, total Rs. 987=90 the bill of which have already been submitted in the office of respondents No. 4 (reimbursement).

(D) That respondents No. 1, 2 and 4 may farther be ordered or directed to make payment of Rs. 1575/- deducted by respondents No. 4 from the arrears of dearness allowance in respect of house rent,

(E) Any other relief which this Hon'ble Tribunal deems fit and proper under the facts and circumstances of the case be also awarded along with cost Rs. 3,500/-."

2. The applicant been on deputation to Madhya Pradesh Griha Nirman Mandal Circle, Ujjain from June, 1997 to May, 2004. Leave from 28.5.1999 to 4.8.1999 was sanctioned to him by his parent department i.e. the office of the Accountant General (A&E),MP on 10.2.2005 (Annexure A-19). The applicant's grievance is that he has not received his leave salary for this period despite having made representations on different dates, the latest being on 10.3.2006 (Annexure A-18).

3. In view of the fact that leave was sanctioned by the Accountant General i.e. respondent No. 2, we are of the view that ends of justice would be met, if respondent No. 2 is directed to arrange payment of salary and other amounts due to the applicant within a reasonable period.

4. Accordingly, we direct the respondent No. 2 to consider the representation of the applicant dated 10.3.2006 (Annexure A-18) and arrange for necessary due payments within a period of three months from the date of receipt of a copy of this order, as per rules.

5. With these directions the Original Application is disposed of at the admission stage itself.


(A.K.Gaur)
Judicial Member


(Dr.G.C.Srivastava)
Vice Chairman

"SA"

(B) That, respondents Nos. 1 to 2 and 4 may kindly be ordered or directed to make payment for the joining period from 25.7.1998 to 3.8.1999 along with interest thereon,

(C) That, respondent No. 1 and 2 and 4 may kindly be ordered/directed to make payment of the medical bill (reimbursement) Rs. 488=95/-+498=95, total Rs. 987=90 the bill of which have already been submitted in the office of respondents No. 4 (reimbursement).

(D) That respondents No. 1, 2 and 4 may farther be ordered or directed to make payment of Rs. 1575/- deducted by respondents No. 4 from the arrears of dearness allowance in respect of house rent,

(E) Any other relief which this Hon'ble Tribunal deems fit and proper under the facts and circumstances of the case be also awarded along with cost Rs. 3,500/-."

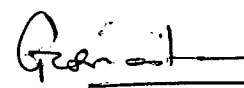
2. The applicant been on deputation to Madhya Pradesh Griha Nirman Mandal Circle, Ujjain from June, 1997 to May, 2004. Leave from 28.5.1999 to 4.8.1999 was sanctioned to him by his parent department i.e. the office of the Accountant General (A&E),MP on 10.2.2005 (Annexure A-19). The applicant's grievance is that he has not received his leave salary for this period despite having made representations on different dates, the latest being on 10.3.2006 (Annexure A-18).

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(A.K. Gaur)
Judicial Member


(Dr. G.C. Srivastava)
Vice Chairman

"SA"

(4)

पृष्ठान्त सं ओ/व्या.....जबलपुर, दि.....

प्रतिनिधि अथवा निदेश:-

- (1) सचिव, उच्च न्यायालय, जबलपुर
- (2) आलेख श्री/श्रीमती/श्री/.....के काउंसल
- (3) प्रत्यक्ष श्री/श्रीमती/श्री/.....के काउंसल
- (4) कंसलर, को.प्र.अ., जबलपुर ज्वालपीठ

सूचना एवं आवश्यक कार्यवाही हेतु

S. C. Sharma
Res No. 2.
(with copy of CR)
11.9.06.

Issued
on 11.9.06
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