

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 462 of 2004

Jabalpur, this the 1st day of September, 2004

Hon'ble Shri Madan Mohan, Judicial Member

S.L. Gupta, S/o. Late K.N. Gupta,
aged about 60 years, R/o. Shiv Shakti
Chhayya, Near Shobhapur Railway Crossing,
Near Kanchanpur, Post Adhartal,
Dist. Jabalpur - 482004.

... Applicant

(By Advocate - Shri S.K. Nagpal)

V e r s u s

1. Union of India, through : The
Chairman, Railway Board, Rail
Bhawan, New Delhi.
2. General Manager, S.E. Railway,
Garden Reach, Kolkatta.
3. Divisional Railway Manager, S.E.
Railway, Bilaspur.

... Respondents

(By Advocate - Shri M.N. Banerjee)

O R D E R (Oral)

By filing this Original Application the applicant has
claimed the following main reliefs :

"i) direct the respondents to pay the amount of
leave salary for un-availed leave due to the applicant
without any further delay,

ii) pay interest @ 12% on the amount of leave
salary due w.e.f. 1.9.2003 till the date of actual
payment."

2. The brief facts of the case are that the applicant
served in the Railway Department as a Teacher w.e.f.
25.8.1981 to 31.8.2003. He retired on superannuation as a
TGT from Railway MHS, Shahdol on 31.8.2003. The leave salary
for un-availed leave which was payable to the applicant on
the date of his retirement on 31.8.2003 has not yet been paid.
The applicant made representations to the respondents but the
matter has not yet been settled by the respondents. Aggrieved
by this he has filed this OA claiming the aforesaid reliefs.



3. Heard the learned counsel for the parties and perused the records carefully.

4. The learned counsel for the applicant submitted that he will be satisfied if the respondents are directed to pay the leave salary for un-availed leave with interest on the amount as per rules, within a specified period. Accordingly, the Original Application is disposed of with a direction to the respondents to pay the leave salary for unavailed leave if due to the applicant and interest thereon as per rules till the date of actual payment. The respondents are also directed to comply with the aforesaid direction within a period of two months from the date of receipt of a copy of this order. No costs.

(Madan Mohan)
Judicial Member

"SA"

पूरांकन सं ओ/न्य.....जबलपुर, दि.....

प लि लि पि अ वो डि ला :-

- (1) सचिव, उच्च न्यायालय काउंसिलर, जबलपुर
- (2) जज (सी/डी) के काउंसल
- (3) प्रवक्ता सी/डी/डी/डी/डी के काउंसल
- (4) गंधार, काउंसल, जबलपुर काउंसल

सूचना एवं आवश्यक कार्यवाही हेतु

उप निरीक्षक

Issued
On 21-9-07
BS

SK Nagpal
MM Banjara