

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.950/2016

New Delhi this the 10th day of March, 2016

**Hon'ble Mr. Justice Syed Rafat Alam, Chairman
Hon'ble Dr. B.K. Sinha, Member (A)**

Vipin Kumar Pathak, aged 61 years,
S/o Late Sh. P.N. Pathak,
Retired Sr. Ticket Examiner from
Northern Railway, Delhi Division, New Delhi
r/p-2/2, Marris Tower, Marris Road,
Aligarh (UP)-202001 - Applicant

(By Advocate: Mr. Yogesh Sharma)

-VERSUS-

1. Union of India through
The General Manager,
Northern Railway,
Baroda House, New Delhi
2. The Divisional Railway Manager,
Northern Railway, Delhi Division,
State Entry Road, New Delhi
3. The Divisional Finance Manager,
Northern Railway, Delhi Division,
State Entry Road, New Delhi - Respondents

(By Advocate: Mr. R.N. Singh)

O R D E R (Oral)

Justice Syed Rafat Alam:

In the instant Original Application filed under Section 19 of the Administrative Tribunals, 1985, the short grievance of the applicant is that his salary for the period from 30.05.2014 to 09.08.2014 has not been disbursed on the pretext that he was absent during that period, though his medical leave was sanctioned for the period in question vide order dated 01.08.2014 which is enclosed as Annexure A/1.

2. We have heard Shri Yogesh Sharma, learned counsel for the applicant as well as Mr. R.N. Singh, learned counsel appearing for the respondents. Looking to the nature of the grievance, and the order which we propose to pass in the instant Application, and also as agreed to by the learned counsel for the parties, we are of the view that this Application could be disposed of at this stage.

3. Learned counsel for the applicant submitted that medical leave having been sanctioned, there is no justification for withholding the salary for the aforesaid period. He further submitted that the applicant has made two representations viz. 23.12.2014 and 03.06.2015 which is still pending consideration before the respondents.

4. On the other hand, learned counsel for the respondents fairly stated that since the applicant has availed of the remedy by making the representation, which appears to be pending, the respondents would make all endeavour to dispose the same within a reasonable time.

5. In view of the stand taken and also looking to the nature of the controversy and keeping in view that the applicant's representations are still pending consideration before the respondents, we dispose of this Application at this stage with direction to the respondents to examine the grievance of the applicant and decide the same by passing a reasoned order expeditiously, preferably within a period of two months from the date of production of certified copy of this order. It is needless to emphasize that in the event, the applicant is not satisfied with the order passed on his representations, it would be open for him to avail such remedy available to him under law.

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

(Dr. B.K. Sinha)
Member (A)

(Syed Rafat Alam)
Chairman

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