

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

OA No.2698/2014

New Delhi, this the 24th day of November, 2015

Hon'ble Dr. Brahm Avtar Agrawal, Member (J)

Raj Dev Rai, aged 61 years
S/o Sh. Rameshwar Rai,
Retired from the post of RRB,
From Northern Railway Station, Panipat(Har.)
R/o H.Bno.2133/5, Vishish Colony, Near Lal Dawara Mandir,
Kurukshetra-132103(Har.) ...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, Sate Entry Road,
New Delhi.
3. The Divisional Railway Manager,
Northern Railway, Delhi Division,
DRM's Office, State Entry Road, New Delhi..... Respondents

(By Advocate: Mr.Amit Kumar)

ORDER (ORAL)

Learned counsel for the respondents fairly concedes the position taken by the learned counsel for the applicant that the instant case is covered by and may be disposed of in terms of this Tribunal's order dated 06.01.2012 in OA NO. 481/2015, as affirmed by the Hon'ble Delhi High Court in W.P. (C) No. 7992/2012, vide its decision dated 14.05.2013.

2. The applicant superannuated as a Running Room Bearer (RRB) on 31.03.2013 and , as his leave account for the period from 15.07.1983 to 30.06.2001 had been missing, instead of 300 days' leave encashment, he was given leave encashment only for 126.5 days [i.e., 33 days' LAP (leave on average pay) and 187 days' LHAP (leave on half average pay)].

3. In similar circumstances, this Tribunal in the aforesaid OA held the applicant therein entitled to leave encashment for full 240 days (as was the maximum period then allowed).

4. Likewise, the applicant herein is held entitled to leave encashment for full 300 days (the maximum period now allowed). The respondents shall pay to the applicant the amount due to him within 45 days from the date of receipt of a copy of this Order.

5. The OA is allowed accordingly. No order as to costs.

(Dr. Brahm Avtar Agrawal)
Member (J)

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