

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**OA-2899/2018  
MA-3245/2018**

**New Delhi, this the 02<sup>nd</sup> day of August, 2018**

**Hon'ble Sh. V. Ajay Kumar, Member(J)  
Hon'ble Sh. A.K. Bishnoi, Member(A)**

1. Ajay Kumar Bhargava(aged 69 yrs),  
Group 'B', Post Gen. Manager  
S/o Sh. K.P. Bhargava,  
R/o C-160, Sector 51,  
Noida, Uttar Pradesh.
2. Saradindu Mandal (Aged 68 yrs)  
Group 'B' Post DGM (Engg.)  
S/o late Sh. Ajit Kumar Mandal,  
R/o I-106 (FF) South City II,  
Gurugram-122018.
3. S.P. Agarwal (Aged 68 yrs),  
Group 'B', Post-Manager Accounts  
S/o Shri Chunni Lal,  
R/o B-56, Jeevan Niketan, LIC Colony,  
Paschim vihar, New Delhi-110087.
4. Anukul Chandra Howladar (Aged 69 yrs),  
Post Senior Manager (HP),  
S/o Shri Atul Chandra Howladar,  
R/o E-6 AVMC Hospital,  
Puduchery 607402.
5. Ashok Jolly (Aged 67 years),  
Post General Manager, Group 'B',  
s/o late Sh. H.S. Jolly,  
R/o D-503, Kaveri Apartments,  
Alaknanda, New Delhi-110019. .... Applicant

(Through Sh. Yogesh Kumar Mahur)

Versus

1. Union of India,  
Through its Secretary,  
Ministry of Tourism  
Transport Bhawan, Sansad Marg,  
New Delhi-110001.
2. The Chairman & Managing Director,  
India Tourism Development Corporation(ITDC),

(Govt. of India undertaking)  
 6<sup>th</sup> Floor, Core-8, Scope Complex,  
 7, Lodhi Road, New Delhi-110003.

3. The Company Secretary,  
 India Tourism Development Corporation (ITDC),  
 (Govt. of India undertaking)  
 6<sup>th</sup> Floor, Core-8, Scope Complex,  
 7, Lodhi Road, New Delhi-110003. ... Respondents  
 (through Sh. S.N. Verma)

### **ORDER(ORAL)**

**Hon'ble Sh. V. Ajay Kumar, Member(J)**

Heard Sh. Yogesh Kumar Mahur, learned counsel for the applicants and Sh. S.N. Verma for the respondents on receipt of advance notice.

**MA No. 3245/2018** filed for joining together is allowed.

### **OA No. 2899/2018**

2. The applicants, who are retired employees of the respondents-India Tourism Development Corporation (ITDC), filed this OA seeking the following reliefs:

“(a) Direct the Respondents to pass a reasoned and speaking order while considering the pleas and contentions of the applicants raised in the Representation (Annexure A-1) within a specified time.

(b) Call for the records of the case.

(c) Direct the respondents to forthwith release all arrears related to enhanced Leave encashment vis-à-vis the 6<sup>th</sup> pay commission including the cumulative leave up to 300 days and leave encashment of earned leave received from 1-1-2006 to, till the date of retirement including the earned leave standing to the credit of the employee on the date of retirement.

(d) Direct the respondents to pay interest at the rate of 18% p.a. or at such other appropriate rate on the delayed payment of the arrears of the enhanced Leave

encashment for the period from 1-9-2008 to the date of disbursement.

(e) Considering the fact that the applicants who are senior citizens have been forced to seek the indulgence of this Hon'ble Tribunal for availing their legitimate entitlements, award the cost of the Litigation.

(f) Pass any order/relief/direction(s) as this Hon'ble Tribunal may deem fit and proper in the interests of justice in favour of the applicants."

3. It is submitted that the applicants made number of representations including Annexure A-2 (Colly.) ventilating their grievances to the respondents. However, no orders have been passed thereon till date.

4. In the circumstances, the instant OA is disposed of at the admission stage itself, without going into the merits of the case by directing the respondents to consider Annexure A-2 (Colly) representations of the applicants and to pass appropriate reasoned and speaking orders thereon within ninety days from the date of receipt of a certified copy of this order, in accordance with law. No costs.

Let a copy of the OA, be enclosed to this order.

**(A.K. Bishnoi)**  
**Member(A)**

**(V. Ajay Kumar)**  
**Member(J)**

/ns/