

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

...

**O.A. No.60/294/2018**

**Date of decision: 19.8.2019**

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).  
HON'BLE MR. A.K. BISHNOI, MEMBER (A).**

...

Itwari Lal S/o Sh. Mangi Ram, age 54 years, R/o House No.2521  
Dadumajra Colony, Chandigarh. (Group D).

**... APPLICANT**

**VERSUS**

1. The Director, National Institute of Electronics Information Technology (NIELIT), C-134, PUNCOM Building, Industrial Area, Phase-VIII, Sector 72, S.A.S. Nagar, Mohali-160071.
2. The Director, Applicant ad Quarter, Electronics Niketan, 6 CGO Complex, Lodhi Road, New Delhi-110003.
3. The ED Chairman, Applicant ad Quarter, Electronics Niketan, 6 CGO Complex, Lodhi Road, New Delhi-110003.
4. The Director, National Institute of Electronics Information Technology (NIELIT), SCO 114-116, Sector 17-B, Chandigarh.

**... RESPONDENTS**

**PRESENT:** None for the applicant  
Sh. Vinod K. Arya, counsel for the respondents.

**ORDER (Oral)**

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**SANJEEV KAUSHIK, MEMBER (J):-**

1. Present O.A. has been filed by the applicant seeking, inter-alia, issuance of a direction to the respondents to release his salary for the period October 2012 to April 2013 and July 2013 to March 2014.
2. After exchange of pleading, matter came up for hearing today.
3. None is present for the applicant. Proceeding under Rule 15 of the C.A.T. (Procedure) Rules, 1987, we have examined the pleadings and heard the learned counsel for the respondents.

4. Sh. Vinod K. Arya, learned counsel for the respondents drew our attention to para 1 of the "preliminary submissions" of the written statement, wherein they have given detail of leave availed by the applicant and also the absence period from 2007 to 2014. Based thereupon he submitted that applicant was absent from duty for the period he is claiming salary and considering that he is entitled to Rs.12,038/- only, they have already released the indicated amount as per order dated 27.4.2018 (Annexue R-8) and for the rest of the period since he was absent from duty, therefore, he is not eligible for salary. He further submitted that no order to this effect has been passed by the respondents, as yet and O.A. is premature.

5. In view of the above, we dispose of this O.A. with a direction to the respondents to pass an order in accordance with law for the aforestated period so that the applicant can challenge the same before the Court of law as per rules and law. No costs.

**(A.K. BISHNOI)**  
**MEMBER (A)**

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

Date: 19.08.2019.

Place: Chandigarh.

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