

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

LIBRARY

No. O.A. 350/00721/2019

Date of order: 27.7.2019

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Tapan Chandra,
S/o. Late Aswini Kumar Chandra,
Residing at 24, Mahiskapur Road,
B-Zone, Durgapur,
Paschim Bardhaman,
Pin - 713205. As retired.

Applicant

VERSUS

1. The Steel Authority of India Limited,
Through the Chairman,
Steel Authority of India Ltd.,
Ispat Bhawan, Lodhi Road,
New Delhi - 110 003.
2. The Alloy Steels Plant,
Durgapur, through its Executive Director,
Having his office at the Alloy Steels Plant,
Mishra Ispat Bhawan,
Surya Sen Sarani,
Durgapur,
West Bengal,
Pin - 713208.
3. Executive Director,
Alloy Steels Plant,
Mishra Ispat Bhawan,
Surya Sen Sarani,
Durgapur,
West Bengal,
Pin - 713 208.

.... Respondents

For the Applicant : Mr. A. Roy, Counsel

For the Respondents : None

[Signature]

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

The applicant has approached the Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:-

- "(a) A direction, order or command be issued upon the respondents, their men, agents, servants and/or assigns, more particularly the respondents No. 2 and 3, to ensure payment of admissible amounts of entitled leave encashment of Rs. 5,97,122/- for 257 days of Earned Leave and Rs. 49,954/- for 43 days of Half-pay Leave, totaling to Rs. 6,47,076/- (Rupees Six lakhs forty-seven thousand and seventy-six only), to the applicant within a time as Your Lordships may deem fit and proper and to pay interest thereon from the date of his retirement on 31.10.2016 till the date of actual payment thereof;
- (b) Any other and/or further order/orders and/or direction/directions, if required, even by including the reliefs specifically prayed for, as Your Lordships may deem fit and proper."
2. Heard Ld. Counsel for the applicant. Affidavit of service is taken on record. The matter is taken up at the admission stage.
3. That the applicant had superannuated from the service of the respondent authorities on 31.10.2016 and that he was entitled for leave encashment of Rs. 5,97,122/- for 257 days of Earned Leave and Rs. 49,954/- for 43 days of Half Pay Leave. The said benefit of leave encashment, however, was not made available to him and despite his detailed representation dated 26.10.2018, which was made in continuation to his former representation dated 26.9.2017, the respondent authorities have failed to act on the same and, hence, being aggrieved, the applicant has approached the Tribunal.
- Ld. Counsel for the applicant further submits that as the representations are pending with the respondent authorities, the applicant would be fairly satisfied if a direction is issued on the respondent authorities to dispose of the same in a time bound manner.
4. Respondent authorities are not represented despite notice.



5. We are of the considered view, however, that it would not be prejudicial if the respondent authorities are directed to dispose of the representations pending with them in a time bound manner.

6. Accordingly, without entering into the merits of the matter, we direct the respondent No. 3, who is the Executive Director, Alloy Steels Plant, Mishra Ispat Bhawan, Surya Sen Sarani, Durgapur, to examine the contents of the representation dated 26.9.2017 (Annexure A-6 to the O.A.) and that dated 26.10.2018 (Annexure A-8 to the O.A.), if received at his end, within a period of six weeks from the date of receipt of a copy of this order. The said respondent authority will dispose of the representations in the form of a reasoned and speaking order, in accordance with law, and communicate his decisions forthwith to the applicant thereafter.

7. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP