

CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

OA 3123/2003

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New Delhi, this the 9th day of January, 2004

Hon'ble Sh. Sarweshwar Jha, Member (A)

Sh. Harish Kumar Arora  
S/o Sh. Ram Narain  
BA/76, Shalimar Bagh  
Delhi -110 088.

...Applicant

(Applicant in person)

V E R S U S

1. Govt. of NCT of Delhi  
through Director  
Directorate of Education  
New Delhi.
2. Deputy Director of Education (North-West)  
Pitam Pura, Delhi.
3. Vice Principal  
Sarvodaya Bal Vidyalaya  
Anandvas (Lok Vihar)  
Delhi - 110 034.
4. Pay and Accounts Officer  
Prasad Nagar, New Delhi.

...Respondents

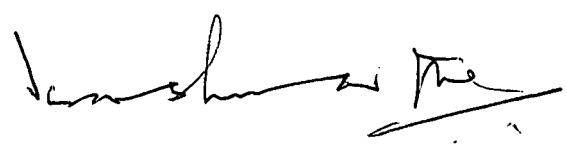
O R D E R (ORAL)

Shri Sarweshwar Jha,

Heard the applicant in person.

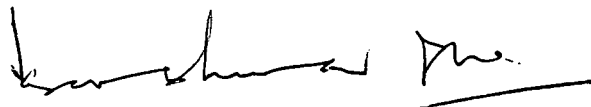
2. He has prayed for directions being given to the respondents to pay his leave encashment dues of Rs.1,50,150. He has been submitting representations to the respondents since his retirement from service on 31-7-2001 from Sarvodaya Bal Vidyalaya, Anandvas, Delhi, seeking payment of the said amount, but there has been no response from the respondents till date. The last representation that he has submitted to the respondents is placed at Annexure A-8. The same was sent to the respondents on 10-4-2003.

- 2/-



3. It appears that the matter relating to the payment of encashment of leave is essentially held up on account of the fact that the period he has spent in the Directorate of Adult Education to which he had been transferred, has not been considered qualifying for Earned Leave. From the communications issued by the Directorate of Education on 25-1-1993 and further on 30-9-2002, it is observed that the applicant was eligible for the benefit of E.L. and Medical Leave as admissible to ministerial staff. Under these circumstances, he should have been allowed the benefit of encashment of leave which he earned during the period that he served the said Directorate.

4. As the matter has been already pending with the respondents to whom the applicant has submitted representations and which have not been responded to by them so far, I find it appropriate that this OA, while being heard on the point of admission can be disposed of and thus stands disposed of with directions to the respondents to consider the representations which are already pending with them and to dispose them of by issuing a reasoned and speaking order as per law and instructions on the subject within a period of two months from the date of receipt of a copy of this order. They are further directed that they may also consider this OA treating it as a representation along with the representations which are already pending with them in the manner as directed above. Let a copy of this OA be sent to the respondents along with a copy of the present order.



(SARWESHWAR JHA)  
MEMBER (A)