

1535

Request-79

Deputy Registrar(M)

May kindly see below placed letter dated 14.12.2016 of Sri Ateeq Uddin, Additional Chief Judicial Magistrate, Farrukhabad vide which he has submitted claim regarding payment of Earned Leave Salary for the period from 23.08.2011 till 11.09.2011, withheld in lieu of Earned Leave availed by him for said duration during his posting in Etawah Judgeship.

Vide aforesaid letter, Sri Ateeq Uddin has informed that during his posting in Etawah Judgeship, he had availed earned leave from 23.08.2011 to 09.09.2011 suffixing 10.09.2011 & 11.09.2011, and vide letter No. 6784/IV-3548/Admin(A-II)/Allahabad dated 06.05.2014 of Hon'ble High Court, Allahabad, intimation regarding sanction of said leave was provided to District Judge, Pilibhit, as Sri Ateeq Uddin was posted in Pilibhit Judgeship that time. Further, he has informed that salary pertaining to said sanctioned leave could not be settled during his posting in Pilibhit Judgeship. Going further, Sri Ateeq Uddin got transferred to Farrukhabad Judgeship. Thereafter, vide application dated 17.09.2015 he placed request regarding payment of said Earned Leave Salary, on which the then District Judge, Farrukhabad sought non-payment certificate. Subsequently, on submission of non-payment certificate and obtaining due approval of District Judge, Farrukhabad, bill was prepared and submitted in Farrukhabad Treasury, wherefrom it was returned with the remark that claim is time-barred and needs to be put through pre-audit. Thereof, said claim has been sent to this Court for pre-audit sanction.

In this context it is submitted that instant claim pertains to pay/salary, not paid due to delayed sanction of Earned Leave by Hon'ble High Court, which otherwise would have been paid out as part of monthly salary thus it cannot be treated time-barred as there is no such restrictive time-limit in respect of its payment and is purely subject to sanction from concerned authorities. Once applicant's earned leave is sanctioned from Hon'ble High Court, there is no other contributory factor to keep accruing benefits realized from.

In the view of above submissions, if approved by Learned Registrar(Judicial) (Budget), the District Judge, Farrukhabad may be informed that instant claim does not need to undergo procedure of pre-audit and necessary action may be taken regarding payment of Earned Leave Salary at his end, in the light of relevant rules ?

A

Registrar (B) (J)

may like to approve as proposed at A

10/01/17
2/10/17

CA's approval
17/07/17

Tranti D. D.

16/02/17 (R)

MS
16/02/17
DR.

17/07/17

17/11/17
DR