M.R.O. 1—38,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 382	Press ~~Mis.~~
23-24	
Dated 23.3.—	~~19~~ 1924

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 23rd March 1858.

No. 23. Read the following letter from H. D. COOK, Esq., Civil and Session Judge of Calicut; to T. PYCROFT, Esq., Chief Secretary to Government, Fort St. George, dated Ootacamund, 15th March 1858.

My dear Sir,

On reference to the "Civil Auditor's Manual," copy of which I had not beside me when I addressed to you my official letter of the 13th Instant, I find that "Cumulative leave" comes under the chapter of Privilege leave, and para. 119, Chapter 11 says, that until a Civil Servant rejoins his appointment, he cannot receive his allowances. Under these circumstances, and as I am not in a position to enable me to dispense with receiving my salary for 3 months, and not being aware of any such Rule when I applied for my 3 months leave, I made no provision to meet such an exigency. I request therefore that you will be so good as to cancel the remaining portion of the leave granted to me in the Fort St. George Gazette of the 19th January, from the date of my re-joining my station.

P. S.—If I am correct in my supposition that my salary cannot be paid to me during my absence, I shall re-join my station on the 1st Proximo.

No. 24. Order thereon, No. 382; dated 23rd March 1858.

Mr. Cook, Civil and Session Judge of the Zillah of Calicut, requests that the leave of absence granted him under date the 19th January last may be cancelled, on the ground that when he applied for it he was not aware, that he would not be allowed to draw his salary until he rejoined his station.

2. The Right Honorable the Governor in Council observes that it was for Mr. Cook before applying for leave to inform himself of the conditions on which it would be granted. As it is, the Government have been put to some difficulty, and two gentlemen subjected to considerable inconvenience and expense in order to carry out the arrangements rendered necessary by Mr. Cook's absence. The Government cannot permit those arrangements to be so summarily disturbed. With reference to the Notification 28th March 1851, they decline to allow Mr. Cook to cancel more than one month of his leave or to rejoin his Court before the 15th April next.

Mr A. W. Phillips.
" A. P. Hodgson.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No 382

Sm C— 23rd March 1858-

From Mr H D Cook
Judge of Caliant — Newcastle 15 March 58

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than one month of his
leave or to enjoin his Coming
before the 15th April next.

Jf.

Mr A.W. Phillips
A.P. Hodgson —

Mr H.F. Cook —
Asst Judge Calcutta
Sudr Adawlut —
Civil auditor

Despd 23d

In Cons 23d March

Judicial 1858 Separate

№ 382.

Extract Minis. Cons.

Dated 23d March 1858.

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