



CENTRAL ADMINISTRATIVE TRIBUNAL

CHANDIGARH BENCH

O.A. No. 060/387/2019

Chandigarh, this the 29th day of January, 2020

HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

HON'BLE MRS. NAINI JAYASEELAN, MEMBER (A)

Navdeep Sud, son of late Sh. Jagdish Ram Sud, age 60 years, r/o Central Govt. Residential Complex, Sector 38-A, Chandigarh.

...Applicant

(BY: MR. D.R. SHARMA, ADVOCATE)

Versus

1. Union of India, Ministry of Labour and Employment, Government of India, Shram Shakti Bhawan, Rafi Marg, New Delhi 110001 through its Secretary.
2. The Chief Labour Commissioner (Central), Shram Shakti Bhawan, Rafi Marg, New Delhi 110001.
3. The Secretary, Department of Personnel and Training (DoPT), North Block, New Delhi 110001.

... Respondents

(BY:MR. MUKESH KAUSHIK , ADVOCATE)

O R D E R (Oral)

SANJEEV KAUSHIK, (Member) (J):

Heard.

2. The applicant lays challenge to order dated 5.4.2018 (Annexure A-1) whereby his claim for LTC of Rs. 1,92,052/- has been rejected on the ground that the applicant has



submitted those bills beyond the time granted under the Rule.

3. The facts in this case largely are not in dispute. The applicant availed LTC without availing advance from Chandigarh to Mumbai. As per Rules he had to submit the bills for reimbursement of LTC on or before 12.4.2017 which he did not do as he was away to USA for his daughter's marriage which was solemnized on 15.4.2017. On return from USA he submitted the LTC Bill for reimbursement on 25.8.2017 to respondent no. 2 which was rejected by the impugned order. Hence the applicant is before us by way of instant Original Application.

4. Mr. D.R. Sharma, learned counsel for applicant argues that the respondents have not exercised administrative powers for relaxation of time period as envisaged under Rule 18 of CCS (LTC) Rules, 1988 which empowers the Competent Authority to grant relaxation. Thus he submits that let the respondents be directed to re-consider the claim of applicant keeping in view Rule 18 of CCS (LTC) Rules, 1988.

5. Respondents have filed reply statement wherein they have stated that in view of the Rules the maximum time relaxation can be given upto 6 months. Since the applicant has submitted the bill beyond the prescribed time,



therefore, the respondents have rightly rejected his claim.

6. Mr. Mukesh Kaushik, learned counsel appearing on behalf of respondents states that case of the applicant was forwarded to Ministry of Labour and Employment which has rejected his claim vide order dated 5.4.2018 (Annexure R-2). Thus he submits that the applicant has no case and prays that the O.A. may be dismissed.

7. We have given our thoughtful consideration to the matter and are of the view that the case of applicant deserves relaxation in terms of indicated Rule 18 which has not been exercised by the respondents. Therefore, the matter is remitted back to the Competent Authority amongst the respondents to re-consider the claim of applicant for relaxation and pass reasoned and speaking order thereon. The O.A. stands disposed of accordingly with no order as to costs.

(Naini Jayaseelan)
Member (A)

Place: Chandigarh
Dated: 29.01.2020
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(Sanjeev Kaushik)
Member (J)