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Central Administrative Tribunal
Principal Bench, New Delhi

O.A.No. 1513/2001

Thursday, this the 22nd day of November, 2001

Hon'ble Shri S.A.T. Rizvi, Member I(A)

Shri Mangal S/O Shri Maichoo
Working as Khallasi Helper under
Senior Section Engineer (Micro-wave)
Central Railway Micro-wave Station
Thampsoni Road, New Delhi Station
New Delhi

..Applicant

(By Advocate: Shri D.R.Roy)

Versus

Union of India
Through the Divisional Railway Manager
Central Railway, Jhansi (UP)

..Respondent

(By Advocate: Shri R.L.Dhawan)

O R D E R (ORAL)

Heard the learned counsel on either side.

2. The applicant, who is a Khallasi Helper working under the Senior Section Engineer (Micro-wave), prays for a direction to the respondents to pay his TA/DA claim amounting to Rs. 884.50 paise together with exemplary cost of litigation. He also seeks a direction to the respondents to take appropriate action to protect the poor applicant against vindictive action of any kind including transfer.

3. The aforesaid first relief relates to the payment of TA/DA in respect of journeys performed by the applicant largely between New Delhi and Sarojini Nagar on various dates in March, 2000. The latter relief arises from a number of considerations, not all of which has been spelt out precisely in the OA. There is of course a letter dated 19.2.2001 (Annexure A-1) which goes to show that

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(2)

certain complaints made by the applicant had been enquired into and his grievance had been redressed. The same letter also indicates that, on 23.5.2000, the applicant himself gave it in writing that he had no complaint against anyone.

4. Insofar as the payment of TA/DA claim is concerned, the respondents have stated that the claim preferred by the applicant at Annexure A-2 is false and that based on the journeys actually performed by him, only two days' TA/DA is due to the applicant. This is in respect of 30th and 31st March, 2000. The respondents have accordingly asked the applicant to revise the TA/DA claim and re-submit the bill for further necessary action and for the payment of the amount actually due to him. The applicant has failed to re-submit his claim.

5. I have considered the submissions made by the learned counsel on either side.

6. The two reliefs claimed in the present OA suffer from the vice of multifariousness inasmuch as these are not consequentially linked to each other.

7. Further, I find it difficult to believe that the statement made in the aforesaid letter of 19.2.2001 to the effect that the applicant himself had given in writing that his grievances had been redressed is, in any way, the outcome of any foul play and that no such written statement was actually made by the applicant. If that letter (Annexure A-1) contained a false statement or else

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(3)

if its contents did not satisfy the applicant, he was free to approach higher authorities in the respondents' set up as well as an appropriate judicial forum soon thereafter. The applicant does not seem to have approached higher authorities, nor an appropriate judicial forum immediately after receiving the aforesaid letter of 19.2.2001. Insofar as the claim of TA/DA is concerned, in the absence of any evidence to the contrary, I would like to trust the respondents when they say that only two days' TA/DA is admissible to him in respect of journeys performed on 30th and 31st March, 2000.

8. For the reasons mentioned in the preceding paragraphs, the OA is found to be devoid of merit and is dismissed. No order as to costs.


(S.A.T. RIZVI)
MEMBER (A)

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