

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2964/2001

(7)

Thursday, this the 23rd day of May, 2002

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

Shri Pratap Mohan Jha
S/O Late Shri Sita Ram Jha
R/O B-4/71, Lodhi Colony
New Delhi-3

..Applicant

(By Advocate: Shri Jasbir S. Malik)

Versus

Central Public Works Department through its
Executive Engineer (Electrical)
Electrical Division 14, CPWD
Pragati Maidan Hall No.16
New Delhi-1

..Respondents

(By Advocate: Shri Mohar Singh)

O R D E R (ORAL)

Heard the learned counsel on either side.

2. It appears that an All India LTC for the block of four years 1994-97 was sanctioned in favour of the applicant for visiting Rameshwaram vide his application dated 13.11.1996 (R-1). A sum of Rs.10,000/- was paid to him by way of ~~an~~ advance for the said journey on 20.11.1996 (R-3).

3. The applicant's case is that before he could proceed on All India LTC, the applicant's mother-in-law expired and he sought a change in the LTC instead to his home town, namely, Saharsa in the State of Bihar. The aforesaid change was sanctioned and the applicant proceeded to Saharsa along with his family. The aforesaid amount of Rs.10,000/- earlier sanctioned to him for visiting Rameshwaram was utilized by him for visiting Saharsa in accordance with the permission given by the respondents. When it came to adjusting the aforesaid

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amount of advance, the respondents have passed an incorrect order on 26.9.2001 (A-1) which is bad on three counts.

- i) The applicant has travelled to Saharsa along with five other members of his family. The impugned letter takes into account only four members,
- ii) The impugned letter limits reimbursement for journey ~~from~~ Delhi to Patna only, whereas the applicant has travelled with his family further on to Saharsa which is something like 250 KMs from Patna; and
- iii) Instead of adjusting the correct amount against the aforesaid advance, in the impugned letter, the respondents have without any justification charged interest @ 14%.

4. From what has been stated above, it is clear that the applicant was allowed to avail of the advance of Rs.10,000/- sanctioned to him on 20.11.1996 for performing journey to Saharsa which is his home town. That journey was evidently performed in 1996 itself. The applicant has not placed any record on the file to show that he had applied for home LTC for travelling to Saharsa by indicating a total of six persons as constituting his family. Records have also not been placed to show whether he actually travelled from Patna to Saharsa and if they did travel to Saharsa, there is no record to show the amount of travelling expenses

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incurred. For these reasons, it is not possible to arrive at any conclusion with regard to the relief claimed by the applicant.

5. In the light of the foregoing, I find it just and fair and in order to dispose of the present OA by directing the respondents to scrutinize the record pertaining to the home LTC for Saharsa and based on such scrutiny, pass necessary orders for payment of additional amount, if any, found due. According to the applicant, the respondents owe to pay him a sum of about 11,000/- approximately in addition to the amount of advance already sanctioned in his favour. If after scrutiny, the respondents decide not to sanction any further amount in favour of the applicant, they will state reasons in support of such a decision in speaking terms. The aforesated exercise will be completed by the respondents within a period of three months from the date of receipt of a copy of this order. They are also directed not to implement the recovery order until orders as above have been passed.

6. The present OA is disposed of in the aforesated terms. No costs.



(S.A.T. Rizvi)
Member (A)

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