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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

O.A. NO. 460/87

DECIDED ON : 04.02.1993

Jai Prakash Singh ... Applicant

vs.

Union of India & Ors. ... Respondents

CORAM : The Hon'ble Mr. P. C. Jain, Member (A)

The Hon'ble Mr. J. P. Sharma, Member (J)

Shri Sant Lal, Counsel for the Applicant

Shri P. P. Khurana, Counsel for the Respondents

J U D G M E N T (ORAL)

Hon'ble Shri P. C. Jain, Member (A) -

In this OA under Section 19 of the Administrative Tribunals Act, 1985, the applicant who was a Postal Assistant in the Lower Selection Grade of the Postal Department and was working as Officiating Sub Post Master at Nagina, District Bijnor, U.P., has claimed the following reliefs :-

"A- It be declared that the respondent no. 3 was seriously prejudiced against the applicant and bore malice and bias against him thereby making all his actions null and void after end of 1980.

B- The applicant be paid his TA for journey to orthopaedic examination amounting to Rs.176/-.

C- The respondent be directed to sanction handicapped allowance to the applicant retrospectively.

D- The adverse entry recorded on 177.6.85 (page 45) and charge sheet dt. 16.4.85 (page 43/45) be ordered to be set aside with all the disabilities attached to them.

E- The cost of the application be awarded to the applicant."

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2. However, Shri Sant Lal, Advocate, who on our request kindly agreed to assist the applicant, after consulting the applicant, submitted that the only relief which he would press in this OA is in regard to payment of Rs. 176/- as travelling allowance for the journey taken by the applicant from Nagina to Lucknow and back for his orthopaedic examination. The respondents in their reply have not stated anything with respect to this relief. Our attention has been drawn to the document filed as Annexure C-1 with the OA from a perusal of which it appears that the applicant was directed in this connection in letter dated 10.5.1984 from Superintendent of Post Offices, Bijnor to obtain and submit certificate from the Head of Orthopaedics available at Medical College, Lucknow, but he had not obtained the medical certificate so far. We are informed that the aforesaid medical certificate was sent by the Superintendent of the Medical College Hospital, Lucknow directly to the respondents. If so, the only direction which can be given in this OA is to direct the respondents to examine further the aforesaid claim of the applicant and to pass final orders thereon in accordance with the relevant rules within a period of three months from the date of receipt of a copy of this order. If the applicant is entitled to any payment on account of the aforesaid claim, the same shall also be paid to him within the aforesaid period.

(Cw.)

This OA is accordingly disposed of in terms of the above directions leaving the parties to bear their own costs.

*J. P. Sharma*  
( J. P. Sharma )  
Member (J)

*P. C. Jain*  
( P. C. Jain )  
Member (A)

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