

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH,  
ALLAHABAD

Dated:- Allahabad this the <sup>14/12</sup> ~~13th~~ Day of July 2000.

Coram:- Hon'ble Mr. S.K.I. Naqvi, J.M.

Original Application No. 976 of 1998

Mohd. Zaki Ahmad

S/o Late Shri Fazal Hussain

R/o House No. 182, Chakdondi, Aziz Building,

Jail Road, Naini, Allahabad.

... Applicant

Counsel for the applicant = Sri Rakesh Verma

VERSUS

1. Union of India through the  
Secretary, Ministry of Defence, New Delhi.
2. The Commandant,  
Central Ordnance Depot,  
Chhooki, Naini, Allahabad.

... Respondents

Counsel for the respondents = Sri Satish Chaturvedi

ORDER

(By Hon'ble Mr. S.K.I. Naqvi, J.M.)

Sri Mohd. Zaki Ahmad has approached the tribunal for direction to the respondent to accept his LTC Bill and make payment after deduction of advance, and also to refund the amount recovered with interest there on.

2. As per applicant case he availed LTC for the block year 1994-97, he got advance of Rs. 15,1000 on 14.09.1995 and performed journey from Allahabad to Kanyakumari between the period from 28.01.1995 to 10.02.1995.

3. As per applicants <sup>further submission</sup> ~~case~~ he performed the journey by Bus No. UGH 786 owned and controlled by U.P. State Tourism Development Corporation Limited. On his return from LTC journey he submitted his journey bill but the same was not accepted. <sup>upon</sup> ~~upon~~ enquiry he came to know that the final LTC bill of the applicant has been rejected and the amount which was taken by the applicant as ~~an~~

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advance is being recovered by way of installment. The applicant has challenged this action of the applicant in this O.A. with the mention that his bill has been rejected without giving him an opportunity to show cause the reasons there of and also that he is being denied of payment for the journey he genuinely performed.

4. The respondents have contested the case mainly on the ground that LTC Bill submitted by the applicant was beyond the period prescribed for the same and also that the journey for which LTC claim has been submitted has not been actually performed and the document submitted in support there of is not genuine. The respondents have also come up with a case that the applicant was afforded opportunity <sup>to explain</sup> vide order dated 15.07.1997 the copy of which has been annexed with counter reply as CA-1.

5. Heard the learned counsel for rival contesting parties and perused the record. The first point to be investigated in the matter is as to whether the applicant performed the journey as alleged by him and the documents submitted in support there of are genuine. The respondent have filed reply <sup>to</sup> dated 30.07.1997, from the office of 'Kanyakumari Special Grade Town Panchayat' according to which the Bus No. UGH 786 with permit No. 83/T/95 did not enter Kanyakumari Township during the period as alleged by the applicant. There is nothing on record to disbelieve this document.

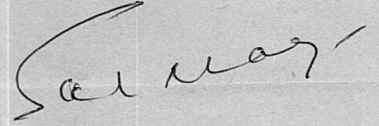
6. A perusal of office memorandum dated 15.07.1997, the copy of which has been annexed with counter reply as CA-1 clearly indicates that an opportunity was afforded to applicant to <sup>appraise</sup> ~~uprise~~ the reasons in respect of genuineness of LTC claim and therefore, <sup>it</sup> ~~they~~ cannot <sup>be</sup> said that no opportunity was afforded to him.

7. As per applicants case he performed outward/inward journey during 18.01.1995 to 10.02.1995 but submitted the final claim on 12.03.1995 whereas, as per rules, he should have submitted the final LTC claim within 30 days <sup>after</sup> ~~of~~ completion of inward journey and as a result the claim of the petitioner <sup>has</sup> ~~had~~ become time barred.

*Seen*

8. With the above position in view I do not find any merit in the O.A. which is dismissed accordingly.

9. No order as to cost.



Member (J)

/T. Joshi/