

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 08th day of March 2001.

Original Application no. 1072 of 1998.

Hon'ble Mr. S. Dayal, Administrative Member

Baij Nath Sharma, C.H.D. T. No. 1316,
S/o Late Shri Jaduvir Sharma,
R/o 345, Chak Raghunath, Naini Bazar,
Naini, Allahabad.

... Applicant

C/A Sri Rakesh Verma

Versus

1. Union of India through the Secretary,
Ministry of Defence,
NEW DELHI.

2. The Commandant,
Central Ordnance Depot,
Chheoki, Naini,
ALLAHABAD.

... Respondents

C/Rs Sri S.C. Mishra

O R D E R (Oral)

Hon'ble Mr. S. Dayal, Member-A.

This OA has been filed for a direction to the
respondents to clear the final LTC bill of the applicant

...2/-

// 2 //

for the block year 1994-97 and to pay the amount of bill after adjusting the LTC advance already paid. A direction has also been sought to the respondent not to make further recovery from the salary of the applicant against LTC claim @ Rs. 1,000/- per month.

2. The facts as narrated by the applicant are that the applicant applied for LTC from Allahabad to Kanyakumari and obtained LTC advance of Rs. 12,900/- . He travelled to Kanyakumari between 08.10.94 to 21.12.94 and submitted his LTC bill in November 1994. The journey was performed by a bus owned and controlled by the U.P. Govt. and the agency was recognised under the rules. It is claimed that the bill of the applicant was lost while it was being processed by the respondents. It is also claimed that one Shri Bhikari Singh, working as Office Supdt., Shri G.N. Pandey, working as UDC and Shri Bhagwan Din, working as Painter was performing journey by the same bus for the same destination during the same period but their bills have been cleared while the bill of the petitioner has been withheld.. The applicant submitted a representation dated 23.05.95 and followed by representations dated 29.05.98 and 20.06.98, but none of these representations by were disposed of by the respondents.

3. Arguments of Sri R. Verma for the applicant and Shri S.C. Mishra for the respondents have been heard.

// 3 //

4. The respondents have denied the claim of the applicant and have stated that the applicant drew LTC advance of Rs. 12,900/- for himself and for his family for visiting Kanyakumari on 09.09.1994 and showed the planned period of journey from 08.10.1994 to 21.10.1994. It is stated that the applicant failed to purchase the journey tickets within 10 days and did not submit his final bill within 30 days for the date of completion of inwards journey. The respondents have filed annexure/SCA as annexure CA-1, in which the applicant had claimed that he had submitted his claim on 19.11.94, but he was intimated that his amount of advance will be deducted from his salary and he prayed that he should be granted instalments. The respondents have granted 4 instalments for the purpose of recovery on 08.09.98. The respondents have ordered of to him for return the claim of the applicant/ which was not found acceptable.

5. I find that the applicant had filed the application after giving letter dated 08.09.98 to the respondents in which he had himself prayed for instalments for making recovery of LTC advance from him. The allegation of the applicant that the bill was lost has been denied by the respondents in para 11 and 16 of their CA and they have referred to the application dated 08.09.98 of the applicant which was produced alongwith Suppl. C.A. as annexure CA-1.

// 6 //

6. The applicant in his affidavit has stated that the said letter dated 08.09.1998 was obtained from him under duress. However, I find that no ~~reference~~ & was made ^{by the applicant} of this letter in the OA and the only inference can be that the applicant did not come clean with the facts in his initial claim in the O.A. I, therefore, dismiss this O.A. as the applicant has filed the OA without stating the true facts. The O.A. is dismissed accordingly. No order as to costs.



Member-A

/pc/