

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD**

ORIGINAL APPLICATION NO.198 of 2001

Allahabad, this the 29th day of May, 2008

Hon'ble Mr. N.D. Dayal, Member-A

1. Jagdish Chander, S/o Sri Ram Saran M.E.S. No.451090.
2. Daya Shanker, S/o Late Bhusai M.E.S. No.468075.
3. A.K. Srivastava, S/o Sri Satya Prakash M.E.S. No.483028.
4. Sunder Lal, S/o Sri Mangali Prasad M.E.S. No.452264.
5. H.N. Yadav, S/o Sri Jagadamba Prasad Yadav M.E.S. No.454866.
6. R.N. Verma, S/o Late Nand Kumar M.E.S. No.439400.
7. Prem Prakash, S/o Late Chet Ram Sharma M.E.S. No.452207.
8. Fajaul Rehman, S/o Sri Mohd. Hanif M.E.S. No.452313.
9. Prakash Narain, S/o Late Raj Kishore Agnihotri M.E.S. No.457637.
10. Baboo Lal, S/o Late Banarasi M.E.S. No.452557.
11. Chhedi Lal, S/o Late Braggoo M.E.S. No.439275.
12. Prahlad Kumar, S/o Late Tej Bahadur M.E.S. No.454541.
13. S.K. Banerjee, S/o Late M.R. Banerjee M.E.S. No.452408.
14. Kishan Lal Taneja, S/o Late Asha Nand Taneja M.E.S. No.133057.
15. Anil Kumar Rai, S/o Sri Markandey Rai M.E.S. No.192777.
16. V.K. Shukla, S/o Late Gajadher Prasad M.E.S. No.471530.
17. D.N. Singh, S/o Late Ram Lakhan Singh M.E.S. No.454805.
18. R.K. Mishra, S/o Late Shiv Shanker Mishra M.E.S. No.411079.
19. S.K. Bajpai, S/o Sri Nand Lal M.E.S. No.471506.

All are working in the office of Garrison Engineer, Military Engineering Services Air Force, Chakery, Kanpur.

...Applicants.

(By Advocate : Shri P.K. Srivastava)

Versus

1. Union of India through Secretary, Ministry of Defence, New Delhi.
2. Eng-in-chief Army Head Quarter, New Delhi, Kashmir House, New Delhi.
3. Chief Engineer Central Command Lucknow.
4. Commander Work Engineer Air Force, Chekery, Kanpur.
5. Garrison Engineer, Military Engineer Services, Air Force, Chakery, Kanpur.

...Respondents.

(By Advocate : Shri S. Singh)

ORDER

This is a matter where the applicants are seeking the benefit of Government decision whereby L.T.C. travel by private buses or buses hired by I.T.D.C. was made permissible. It is submitted that the applicants had traveled by private bus in the year 1998 and as such in view of the revised decision, which had already been considered in favour of a number of other officials as per direction of this Tribunal in OA No.1293/01 would also be applicable herein. As such, their prayer for sanction of their L.T.C. claim accordingly, be accepted as has been done in the case of other officials who had come before this Tribunal in OA No.1293/01.

2. Learned counsel for the respondents points out that certain documents, in particular the certificate of sanction of travel by I.T.D.C. or S.T.D.C. that the travel was undertaken in buses authorized by them, has not been produced by the applicants and in case they do the same, the respondents would consider their claim in accordance with the rules. Learned counsel for the applicants undertakes to furnish a copy of the certificate to the respondents within a period of 15 days from ~~today~~ the date of receipt of a copy of this order.

3. The respondents are, therefore, directed to consider the prayer of the applicants in this OA, keeping in view the earlier OAs and orders passed by this Tribunal governing L.T.C. claim and take a decision in the matter within a period of three months in accordance with law and inform the applicants by a reasoned and speaking order.

4. Learned counsel for the applicant also submits that no recovery was made from the applicants in the other cases. The respondents shall, therefore, also consider such request for non-recovery from the applicants and if they are similarly situated as the applicants in the other OA, decided by this Tribunal and implemented by them, no recovery be made from applicants herein as well.

5 The OA is disposed of with the above directions. No costs.



Member-A

RKM/