

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH: ALLAHABAD.

Original Application No.1649 of 1999.

Allahabad this the 09th day of May 2003.

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

Naresh Chandra

S/o Shri Jagdish Chandra Jauhari
U.D.C./Cashier No.26(Photo)
Party (N.C.) Survey of India
Dehradun (U.P.)

.....Applicant.

(By Advocate : Sri P.C. Srivastava)

Versus.

1. Union of India
through the Secretary
Ministry of Science & Technology
Department of Science & Technology,
Technology Bhawan, New Mehrauli Road,
New Delhi-110 016.
2. The Surveyor General of India
Survey of India, Block-8,
H.B. Estate Dehradun (U.P.)
3. The Additional Surveyor General
Survey of India, Northern Zone,
Survey of India Complex,
Sector-32-A, Chandigarh-160047.
4. The Director, Northern Circle,
Survey of India
17-E.C. Road, Dehradun.
5. The Superintending Surveyor,
No.90 Party (NC) Survey of India,
28, Subhash Road, Dehradun.
6. The Officer-in-Charge,
No.26 (P) Party (NC), Survey of India
17-E.C. Road, Dehradun (U.P)

.....Respondents.

(By Advocate : Sri S.C. Mishra)

O R D E R

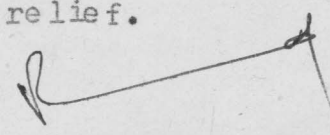
By this O.A., filed under section 19 of Administrative
Tribunals Act 1985, the applicant has prayed to quash
the orders dated 05.10.1999 and 22.10.1999 filed as



Annexures No.1 and 1-A respectively. By the aforesaid orders L.T.C claim of the applicant has been rejected and he has been directed to refund Rs.17,000/- ^{which} ~~Rs.~~ was paid to him as advance, with interest.

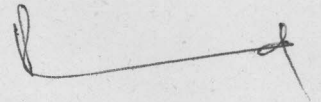
2. The facts of the case are that at the relevant time, applicant was serving as Cashier in the Office of No.90 Party (N.C.), Survey of India. By application dated 24.02.1998, the applicant applied for L.T.C. advance for the Block year 1998-2001 for himself and his family members. The tour was sanctioned and applicant was paid 90% advance i.e., an amount of Rs.17000/-. The applicant completed his journey between 04.04.1998 to 20.04.1998 and submitted his final bill for expenses, which has been rejected by respondent on the ground that the journey by buses operated by Garhwal Mandal Vikas Nigam Ltd was prohibited by order dated 09.02.1998 issued by Central Government. The application was filed by applicant on 24.02.1998 i.e., after the Government order dated 09.02.1998 was passed.

3. In para 3 of the counter affidavit, it has been stated that the applicant was transferred from administrative control of OC No.90 Party to O.C No.26 Party on 14.09.1998 under the transfer order dated 08.09.1998. It has been further submitted that the impugned order filed as Annexures 1 and 1-A are forged orders and they were never issued by OC No.90 Party from the record of the Office of Director, Northern Circle. It is not proved that any such letters were issued in reply to the averments made in para 3 of counter affidavit. Rejoinder has not been filed. In these circumstances as the orders are stated to be forged, applicant is not found entitled for any relief.



4. For the reasons stated above, the O.A. has no merit and accordingly dismissed.

No order as to costs.

A handwritten signature in black ink, consisting of a stylized 'V' followed by a horizontal line and a small flourish at the end.

(Vice-Chairman)

Manish/-