

Central Administrative Tribunal
Jodhpur Bench, Jodhpur

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Original Application No. 63/2004
Date of Decision : This the 12 th day of October, 2004.

Hon'ble Mr. G.R. Patwardhan, Administrative Member

Amar Lal Bhati S/o Shri Lala Ram aged 55 years
Office Superintendent in the office of Executive
Engineer, Central Ground Water Board, Jodhpur,
R/o Inside Nagori Gate, Jodhpur.

....Applicant.

[By Mr. Vijay Mehta, Advocate, for applicant]

Versus

1. Union of India through the Secretary to
Government of India, Ministry of Water
Resources, New Delhi.
2. Regional Director, West Central Region,
Central Ground Water Board,
Gita Mandir Road, Ahmedabad – 380 022.
3. Executive Engineer, Central Ground Water Board,
Division XI, C-8, Saraswati Nagar, Jodhpur.
4. Regional Director, West Region,
Central Ground Water Board,
6 A Jhalana Doongari, Jaipur 302 004.

....Respondents.

[By Mr. Arvind Samdaria, Advocate, for respondents]

ORDER
[BY THE COURT]

The applicant, Amar Lal Bhati, appears to have been transferred from Jodhpur to Chennai some time in 1998. He appears to have travelled to Chennai by Train and submitted a bill regarding his own journey and the transportation charges of personnel goods by Truck for which he had already obtained an advance of Rs. 24000/-. In due course of time, the claim appears

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to have been processed and after having found that some money was outstanding against him, he was informed through the Office Incharge of the Central Ground Water Board at Jaipur, Belgaum and Jodhpur that he has to deposit certain amounts on account of excess/inadmissible expenditure for his transfer. Briefly stated it basically relates to his having traveled in Train in AC 2 Tier against AC 3 Tier, having submitted a claim for transportation of personnel goods in a truck of which registration number was not given and lastly interest on a portion of Government advance which was not utilised. Since any movement of a commercial vehicle like truck gets registered at different toll points or check posts, it is in-conceivable that the applicant would produce a fake registration number or fake receipt. Substantial correspondence however, seems to have taken place between the two parties and in the pleadings one point that has been highlighted by the respondents in their reply is to the effect that the applicant is not only the Office Superintendent currently posted in the office of Executive Engineer, Central Ground Water Board, Jodhpur, but that he is also experienced and well versed in accounts and thus should have known better that unspent amount from the Travelling Allowance advance needs to be repaid urgently and if not done carries a particular rate of interest every month.

2. The rules regarding claiming of transfer Travelling Allowance and other charges for transfer of personnel goods are very clear. It is also clearly laid down as to which particular documents/information ~~disagreement~~ have to accompany such a claim and there is little scope for disagreement. Consequently, it



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would only be appropriate that this application for quashing the different communications of respondents asking the applicant to refund a particular amount, is considered by the respondents as a representation and a speaking order is passed and communicated regarding admissibility of the claim made by him within thirty days. In order to meet ends of justice, it is also ordered that the applicant, if he wants to make good deficiencies in the documents, like unstamp receipt of the transport company or non furnishing of registration number of the vehicle transporting the goods, is allowed to do the same within fifteen days of the disposal of this application and if so done, the respondents are directed to consider the same and finalize their views on his claim.

3. The interim order passed on 16.3.2004 whereby, the respondent No. 3 was restrained from making any recovery shall cease to operate on the day the respondents pass the order mentioned above. With these observations, the Original Application is disposed of with no orders as to costs.

[G.R.Patwardhan]
Administrative Member

jrm

Copy Recd.
Balaram Kumar Ach.

13-10-04:

on behalf
Avind Sandrasek

below
Sinc
[Signature]

Part II and III destroyed
in my presence on 30/10/13
under the supervision of
section officer () as per
order dated 18/10/13.

Section officer (Record) *J. K. Shrivastava* 30.10.2013