

CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

O.A. No. 290/00448/15

Reserved on : 06.05.2016

Jodhpur this the 11th May, 2016.

CORAM

Hon'ble Ms Praveen Mahajan, Administrative Member

Prakash Chand Bothra S/o Shri Chintamandas, aged about 63 years, R/o Dhani Bazar, Barmer – 344001.

.....Applicant

(By advocate : Mr T.C. Gupta)

Versus

1. Union of India through the Secretary, Ministry of Communication, Department of Post, Govt. of India, New Delhi – 110001.
2. The Superintendent of Post Offices, Churu Division, Churu-331001

(By Advocate : B.L. Tiwari)

.....Respondents

ORDER

The present application has been filed u/s 19 of Administrative Tribunals Act, 1985, challenging the communication dated 01.10.2015 made by respondent No. 2.

2. The applicant retired from service on 31.07.2012 from the post of BCRPA, Postal Department, Churu-Rajasthan after attaining the age of 60

respondents passed the bill for Rs 12,100/- on 22.07.2015 with a delay of 29 months, deducting Rs 12,221/- from the original claim. Thus, the applicant also claimed interest @18% on the delayed payments also.

3. The respondents filed the reply on 06.05.2016 and provided copy of the same to counsel for applicant. The respondents in their elaborate reply, stating that the applicant is in the habit of filing meritless applications on frivolous grounds, have further submitted that the sanctioned claim of the applicant is strictly in accordance with the rules and various provisions of SR including SR 116 and 147 readwith various GOI orders, and have justified the sanctioned claim. The respondents have justified the delay in regularization of the claim by saying that since the applicant had also claimed fare Rs 320/- on account of journey by himself from Barmer to Jodhpur, and hired a vehicle for journey from Jodhpur to Churu and claimed Rs 8,806/-, therefore, the competent authority was compelled to verify the veracity and admissibility of claim for satisfying himself, before sanction.

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4. Heard both the parties and also perused the record.
5. After hearing the matter and going through the OA, I have observed that the representation dated 21.09.2015 (Annex. A/2) filed by the applicant to the Supdt. Post Offices, Churu Division, Churu in response to sanction of TA claim of Rs 12,100/- only, is vague, to say the least. It does not mention any rules or any discrepancy noticed in the calculation for the non-

01.10.2015 (Annex. A/1) of the respondent-department could certainly have been worded better rather than in dismissive manner in which it has been sent. I am, however, not inclined to judge both, given the facts and circumstances of the case.

6. The applicant retired on superannuation on 31.07.2012 from the post of Postal Assistant from Churu Postal Division, Rajasthan. He apparently submitted two TA claims, post retirement. The first bill was submitted on 04.09.2012 for an amount of Rs 24,240/-. The same was sanctioned on 27.12.2012 for Rs 20,575/-. Subsequently, the applicant submitted another TA claim for Rs 24,321/- on 13.03.2013, the same has been sanctioned for Rs 12,100/- on 10.07.2015. The applicant seeks the remaining payment of amount of TA Bill for Rs 12,221/- alongwith interest @ 18% p.a.

7. I have gone through the facts of the case and reply filed by the respondents. I find that the respondents in their counter dated 05.05.2016, have very elaborately justified the claim sanction by them. The delay in sanction from 13.03.2013 to 10.07.2015 has been justified by the respondents in their reply. The applicant had claimed a Taxi fare on account of his journey from Jodhpur to Churu to the tune of Rs 8,806/- as well as Rs 320/- for his journey from Barmer to Jodhpur. Hence, the competent authority had to verify the claim and satisfy itself before sanctioning the amount. In this regard, many reminders have been issued by Superintendent of Posts, Churu to Sr. Superintendent of Posts, Jodhpur. The verification report was received from SSPO, Jodhpur only on

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sanctioned, as per admissibility. The respondents have averred that there is no provision for payment of interest on delayed payment of TA Bills under the Rules. This is an admitted position, which has also been mentioned in the OA itself by the applicant. Hence, the applicant is not entitled for the same.

8. On going through the reply, I find that the respondents have justified the sanction of Rs 12,100/- against the amount of Rs 24,321/- claimed by the applicant. The calculations have been made in accordance with the provisions of SR 195 (Annex. R/4) (keeping in view the eligibility as per the applicant's grade pay etc.). The applicant has not supported his OA with any OM/Circular for admissibility or sanction of his TA as claimed, in full. Therefore, in my considered view, **if applicant has any grievance and finds discrepancy in calculations made by the respondents while deciding his claim or relevant provisions which have been overlooked whilst deciding his case, he may file representation to the competent authority of the respondent-department quoting the relevant provisions etc., within 15 days from the date of pronouncement of the order.** The respondents shall pass an appropriate order on such representation within one month from the date of receipt of the same.

Order of the Court

However, it is made clear that the respondents are not obliged to entertain any vague claim, not supported by any relevant rule. The scope of representation of the applicant should be limited to this TA claim, on retirement only.

9. So far as interest on any delayed payment is concerned, looking to the entire facts and circumstances of the case, the applicant is not entitled for the same.
10. Accordingly, OA is disposed of with no order as to costs.


[Praveen Mahajan]
Administrative Member

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