

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 47/93 ~~199~~

DATE OF DECISION 14-1-1993

TK Jacob Applicant (s)

Mr KRB Kaimal Advocate for the Applicant (s)

Versus  
Postmaster General, Central  
Region, Kochi and others Respondent (s)

Mr George CP Tharakan, SCGC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. N Dharmadan, Judicial Member  
and

The Hon'ble Mr. R Rangarajan, Administrative Member

1. Whether Reporters of local papers may be allowed to see the Judgement? Y
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. To be circulated to all Benches of the Tribunal? No

## JUDGEMENT

Shri N Dharmadan, J.M

The grievance of the applicant who is presently working as Inspector of Post Offices at Ranni is that he has not been given Daily Allowances payable to him during the period of training on the basis of the judgment rendered by this Tribunal on 11.9.91 in DA 593/91 at Annexure-IV.

2 The applicant commenced his service as Postal Assistant and is eligible for promotion to the next higher grade. The applicant was deputed for training after passing the examination for posting as Inspector of Post Offices as per orders at Annexure-I and Annexure-II and according to rules in force, he is entitled for Daily Allowance during the period of training. In the meantime, some of the persons similarly situated approached this Tribunal with identical relief and claimed Daily Allowances during the period of their training. Their case was considered

by this Tribunal as per Annexure-IV judgment dated 11.9.91<sup>4</sup> and DA was allowed. Tribunal held as follows:-

"6 Accordingly, we quash para 3 of Annexure-A circular dated 17.8.90. The Annexure-B dated 8.3.89 has already been quashed and no further direction is needed in this regard. We direct the first Respondent to pay the applicants, within a period of two months from the date of this Judgment the benefits which have been denied to them by the Annexure-A letter but are requested to be granted by the Annexure-C judgment."

Referring the said judgment the applicant has filed a representation dated 7.2.92 at Annexure-V for grant of DA/TA for the period during which he has undergone <sup>training</sup> but the representation has not been disposed of by the respondents so far. It is under these circumstances the applicant has filed this application under Section 19 of the Administrative Tribunals Act of 1985 for a direction to Respondents 1 & 2 to sanction daily allowance during the period of training as claimed by the applicant.

3 At the time when the application was taken up for admission, we heard the counsel of both sides. Having heard the counsel we are of the view that this application can be disposed of at the admission stage itself. Hence, we admit the application and dispose of the same with direction to Respondent-1 to consider and dispose of the Annexure-V representation of the applicant, bearing in mind the observations and findings in Annexure-IV judgment of the Tribunal rendered in DA 593/91, within

a period of two months from the date of receipt of a copy of this judgment.

4. The application is disposed of as above. There will be no order as to costs.



(R Rangarajan)  
Administrative Member



(N Dharmadan)  
Judicial Member

14.1.93

14-1-1993