

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.598 of 1998.

Wednesday, this the 14th day of February, 2001.

CORAM:

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

MES/405343

Sri.P.R.Ramachandran,  
Surveyor Assistant Grade I  
C/o. Chief Engineer Navy,  
Naval Base, Kochi.

Applicant

(By Advocate Shri Sasidharan Chempazhanthiyil)

Vs.

1. Chief Engineer, Navy,  
Naval Base, Kochi.

2. Controller of Defence Accounts,  
Annasalai, Madras-18.

3. Union of India represented by  
its Secretary, Ministry of  
Defence, New Delhi.

Respondents


(By Advocate Shri T.C. Krishna, ACGSC)

The application having been heard on 14.2.2001, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

The grievance of the applicant, a Surveyor Assistant Grade-I in the Office of the Chief Engineer Navy, Naval Base, Kochi is that his claim for reimbursement of travel expenses and transportation of personal effects from Port Blair to Kochi on his transfer have not been allowed in full, according to him unjustifiably. Therefore, the applicant has filed this application seeking to set aside A-3 and for a direction to the respondents to re-examine the TA claim of the applicant as contained in A-8 and pass appropriate orders on it.




2. The various details of the claims of the applicant and the claim admissible according to the respondents and the balance due according to the applicant, have been shown in paragraph 10 of the O.A.

3. The respondents resist the claim of the applicant. They contend inter-alia that the amount claimed for transportation of personal effects by sea calculated by the applicant is on the basis of volume whereas what is allowable being in the scale of weight and therefore, the claim is excessive and cannot be met. It has been inter alia indicated in the reply statement that the supplementary claim made by the applicant (A8) was returned as the age of the child was not indicated, <sup>h</sup> meaning thereby that a considered decision has not been taken on A-8 on account of an omission.

4. After hearing the learned counsel on either side, we are of the considered view that it is a case where the applicant should be allowed to supply the omission and rectify the errors if any in his claim (A-8) and to re-submit it to the 2nd respondent and to direct the 2nd respondent to reconsider the claim in the light of the rules, instructions and rulings on the subject and to give the applicant an appropriate reply within a reasonable time. We also consider that till his claim is reconsidered and a decision taken, no recovery should be made from the pay of the applicant.

5. In the result, in the light of what is stated above the application is disposed of permitting the applicant to resubmit

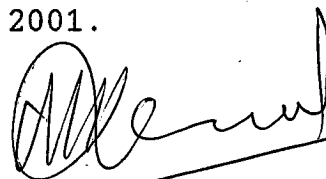


A-8 claim supplying omissions alongwith any supplemental notes in justification within three weeks from today and directing the 2nd respondent that the supplemental claim, if received back, shall be considered in the light of the rules, instructions and rulings on the subject and an appropriate reply be given to the applicant within a period of two months from the date of receipt of the same. Till the claim of the applicant is settled after such reconsideration, no recovery shall be made on the basis of the advance drawn by the applicant . No costs.

Dated the 14th February 2001.



T.N.T.NAYAR  
ADMINISTRATIVE MEMBER



A.V.HARIDASAN  
VICE CHAIRMAN

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List of Annexures referred to in the order:

- A-3: True copy of the Debit Memo No. T/901/CE(N) Kochi dated 5.2.1998 issued by the 2nd respondent.
- A-8: True copy of the supplementary claim dated 20.2.98 submitted by the applicant to the 1st respondent.