

Central Administrative Tribunal Lucknow Bench Lucknow.

O.A. 549/2006.

This, the 27th day of July 2007

Hon'ble Mr. M. Kanthaiah Member (J)

1. Daya Shanker Dixit aged about 65 years  
S/o Late Sri Sarjo Prasad  
R/o 555 Bhola Khera Alambagh  
Lucknow.
2. K.P. Roy aged about 64 years  
S/o Late Sri Ram Deni Roy  
R/o-570/94 Kha Sainik Nagar Colony  
Lucknow.
3. K.N. Yadav aged about 66 years  
S/o Late Sri Ganga Charan Yadav  
R/o-37 Thopkhana Bazar  
Lucknow Cantt  
Lucknow.
4. Smt. Saroj Misra aged about 60 years  
W/o Late Sri S.C. Misra  
R/o-548/118 Surya Nagar  
Rajajipuram  
Lucknow.
5. Smt Matisara Devi aged about 50 years  
W/o Late Sri Prabhu Nath  
R/o 592 K/655 Hind Nagar Gali  
Telibagh  
Lucknow.
6. Smt. Shanti Devi aged about 50 years  
W/o Late Sri Kishan Lal  
R/o-4 Subhash Marg Dilkusha  
Lucknow Cantt  
Lucknow.
7. R.B. Singh aged about 36 years  
S/o Late Sri N.B. Singh  
A present posted at  
Armed forces Medical Store Depot  
Lucknow Cantt.  
Lucknow.

Applicants.

(By Advocate Shri Dharmendra Awasthi)

Versus

1. The Union of India, through

-2-

The Secretary Ministry of Defence.  
New Delhi.

2. Controller General of Defence Accounts  
West Block R.K. Puram  
New Delhi.
3. Principal Controller of Defence Accounts  
Central Command  
Lucknow.
4. The Commandant  
Armed Forces Medical Stores Depot  
Lucknow Cantt.

Respondents.

(By Advocate Shri Deepak Shukla for Shri S. K. Awasthi)

By Hon'ble Mr. M. Kanthaiah, Member(J)

The applicants have filed this O.A. to issue directions to the respondents to refund the L.T.C. amount as claimed by them which they have incurred in performing their journey for which they have submitted their respective claims. In spite of their representations dated 17.8.2005(Annexure-2) and 25.11.2005 (Annexure-3), the Respondent No. 3 not passed any orders and as such, they are forced to file this O.A. It is also their contention that their claim is basing on the circular dated 30<sup>th</sup> July 2002 (Annexure R-1) and also judgments passed by this Tribunal in similar matters in O.A. No. 191/2002 (Annexure-3), O.A. No. 956/2002 (Annexure- 4) and O.A. No. 323/2001 (Annexure-5). It is also the contention of the applicant that if their pending representation is decided on merits basing on the circular and also covered judgments on which they relied, the purpose would be served.

2. Respondents counsel represents that the matter is pending with Respondent No. 3 and they have no objection for passing a

- 3 -

reasoned order basing on the circular and also judgments relied by the applicants

3. In view of the above circumstances, this O.A. is disposed of with a direction to the respondent No. 3 to decide the pending representations of the applicant dated 17.8.2005 (Annexure-2) and 25.11.2005 (Annexure-3), with a reasoned order basing on the circular dated 30.7.2002 (Annexure R-1) and also judgments in O.A. No.191/2002 (Annexure-3), O.A. No. 956/2002 (Annexure- 4) and O.A. No. 323/2001 (Annexure-5) on the file of this O.A. within a period of two months from the date of receipt of copy of this order. No costs.

  
(M. Kanthaiah)

Member(J)

27-7-07

V