

**CENTRAL ADMINISTRATIVE TRIBUNAL**

**LUCKNOW BENCH, LUCKNOW**

**M.P.No.304/2009**

**In**

**Original Application No. 97/2009**

**This the 02<sup>nd</sup> day of March 2009**

**HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.**

1. Ajay Shankar Tiwari, aged about 36 years S/o Shri Ganesh Shankar Tiwari R/o 1/147, Fatehgarh, Distt. Farrukhabad (UP).
2. Madan Lal, aged about 52 years S/o Panna Lal, R/o H.No.- 135, New Monford Ganj, P.O. Subhash Nagar, Allahabad.

...Applicant.

**By Advocate: Shri R.K. Shukla.**

Versus.

1. Union of India, through The Secretary, Ministry of Defence, New Delhi.
2. Controller General of Defence Accounts, West Block-5, R.K. Puram, New Delhi.
3. Principal Controller of Defence Accounts, Central Command-01, Cariappa Marg, Lucknow.
4. The Commandant, Armed Forces Medical Stores Depot, Lucknow Cantt., Lucknow.

...Respondents.

**By Advocate: Shri K.K. Shukla for Dr. Neelam Shukla.**

**ORDER (Oral)**

**BY MR. M. KANTHAIAH, MEMBER JUDICIAL.**

Heard both the sides.



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2. It is also the case of the applicants that they have availed the facility of LTC during the year 1998 by traveling in private buses hired by the tourism department by utilizing the advance amount drawn from the department. When, they made final claim for withdrawal of balance expenses the department has not considered properly as per Circular Dt. 09.02.1998 and inspite of their representation Dt. 20.01.2009 (Ann-A-2) the same is still pending. When the representation of the applicant is still pending giving of any direction, allowing the claim of the applicant is not at all maintainable at this stage. Counsel for respondents opposed the claim of the applicant stating that the matter is more than 10 years old and thus, OA is not maintainable on the ground of limitation.

3. In view of the above circumstances, without going into the merits of the case including limitation the OA is disposed of with a direction to the Respondent No.3 to consider the pending representation of the applicants (Ann-A-2) Dt. 20.01.2009 and to pass reasoned order as per rules within a period of three months from the date of receipt of the copy of this order. The applicants are also directed to supply copy of their representation Dt. 20.01.2009 alongwith the copy of this order to respondents. No order as to costs.

  
(M. KANTHAIAH)

MEMBER (J)

03.03.2009.