

(6)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No: O.A.599/88

Transfer Application No: ---

DATE OF DECISION 20-10-93

Surendra Prasad

Petitioner

Mr. M.A. Mahalle

Advocate for the Petitioners

Versus

Union of India & Ors.

Respondent

Mr. A. I. Bhatkar

Advocate for the Respondent(s)

CORAM:

The Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman

The Hon'ble Shri

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ? *MV*
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ? *MV*

*M.S.D*  
(M.S.DESHPANDE)  
Vice-Chairman

M

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

O.A.599/88

Surendra Prasad

.. Applicant

-versus-

Union of India & Ors.

.. Respondents

Coram: Hon'ble Shri Justice M.S.Deshpande  
Vice-Chairman.

Appearances:

1. Mr.M.A.Mahalle  
Advocate for the  
Applicant.

2. Mr.A.I.Bhatkar  
Counsel for the  
Respondents.

ORAL JUDGMENT:  
(Per M. S.Deshpande, V.C.)

Date: 20-10-93

The only question for consideration is whether the applicant is entitled to his TA and DA for official visits which he made from Khetwadi office to Deonar office.

2. By letter dt. 9th July, 1987 it is directed that consequent upon partial shifting of the office premises from Govandi to V.P.Road Khetwadi the applicant and others were to do official duty for Khetwadi w.e.f. 1-8-87 till further orders for the dates as specified in the order. The applicant's name appears at Sr.No.5 and he was asked to do duty at Khetwadi on every Monday and Wednesday w.e.f. 1-8-87. This obviously means that Khetwadi is not the official Head Quarters where he had to give lectures, he being Social Worker Instructor. The applicant was denied TA and DA for these visits.

3. S.R. 71 provides that "Daily allowance may not be drawn for any day on which a Government servant does not reach a point outside a radius of eight kilometres from the duty point (i.e., the place/office of employment) at his headquarters or return to it from a similar point". There is no difficulty about understanding this position and ~~it is difficult to see how the department could have interpreted this~~ to mean that the applicant is not entitled to TA and DA for the duration for which he required to be away from the headquarters. The applicant was obviously entitled to claim TA and DA for the official journeys so made.

4. The application is therefore made absolute in terms of prayer (1) and it is directed that the applicant be paid his TA and DA for the journeys made from the Headquarter to any place which is more than 8kms.away from headquarters. The applicant's entitlement be calculated and be paid to the applicant within two months from the date of communication of this order with costs of this application.

  
(M.S.DESHPANDE)  
Vice-Chairman

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