

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

CIRCUIT SITTING AT NAGPUR

O.A. No. 577/91

T.A. No. ---

198

DATE OF DECISION 18-1-1993

Narayan Vishnu Sohoni

Petitioner

Mr.R.K.Lokhande

Advocate for the Petitioner(s)

Versus

Union of India

Respondent

Mrs.Indira Bodade

Advocate for the Respondent(s)

## CORAM

The Hon'ble Mr. M.Y.Priolkar, Member(A)

The Hon'ble Mr. ----

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
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 ?

MD

(M.Y.PRIOLKAR)  
Member(A)

(5)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH  
CIRCUIT SITTING AT NAGPUR

O.A.557/91

Narayan Vishnu Sohoni,  
R/o.F3, Vishwalaxmi,  
Lakshmi Nagar,  
Nagpur - 440 022.

.. Applicant

-versus-

Union of India  
through  
General Manager,  
Central Railway,  
Bombay V.T. 400 001.

.. Respondent

Coram: Hon'ble Mr.M.Y.Priolkar, Member(A)

Appearances:

1. Mr.R.K.Lokhande  
Advocate for the  
Applicant.
2. Mrs.Indira Bodade  
Counsel for the  
Respondent.

ORAL JUDGMENT: Date:18-1-1993  
{Per M.Y.Priolkar, Member(A)}

The grievance of the applicant in this case is that his travelling allowance bills for five months from January'87 to May'87 when he was on temporary transfer from Katni to Satna as Chief Inspector of Works were considered by the respondents but the bills were not paid in full and certain amounts were reduced in each month from the amount claimed. Admittedly the applicant was eligible to get full daily allowance for the period 16-1-87 to 21-5-87 for temporary transfer from Katni to Satna. Supplementary bills were subsequently submitted by the applicant for this period but they were returned to him for resubmission alongwith full details and also giving reasons for late submission, by letter dt. 23-3-88 of Deputy Chief Engineer.

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The applicant accordingly resubmitted his bill on 2-5-88 giving the reasons for late submission and also further information and clarification required. The difference in TA due and to be paid <sup>which</sup> had been claimed in the additional bill is Rs.2,410/-

2. By letter dtd. 20-6-88 the applicant was however, informed that his explanation was not acceptable and hence his claim for the payment could not be admitted. Learned counsel for the respondents has contended that in accordance with Rule 1670 of the Indian Railway General Code Vol. I, <sup>a</sup> Railway servant on return to his headquarter after <sup>a</sup> journey or tour should prepare a travelling allowance <sup>journal</sup> ~~xxxx~~ in the prescribed form and submit it within three months from the month in which journey is performed. TA <sup>journals</sup> ~~xxxx~~ submitted after the <sup>should</sup> expiry of this period ~~xxxx~~ be supported by adequate reasons ~~in xxx~~ for the delay to the satisfaction of the controlling officer.

3. It appears from Annexure -III at page 7 of the paper book that TA claims <sup>and</sup> were already submitted by the applicant <sup>after</sup> after implementation of the recommendation of Fourth Pay Commission a supplementary bill for period from 16-1-87 to 21-5-87 was submitted. Evidently his original claim has been submitted in time. No question of delay has been raised <sup>and part payments made.</sup> at that time, The supplementary bill was submitted as directed by the respondents within less than 1 1/2 months of such direction. I do not therefore ~~xxx~~ think that the respondents are


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justified in raising the question of delay in submission of bills at this stage. The delay is not much and naturally for this reason it will be harsh to deprive the applicant his full daily allowance admissible ~~to~~ under the rules.

4. I, therefore, direct the respondents to consider the supplementary claim submitted by the applicant after condoning the delay if any in submission of the claim and if any payment is found admissible in accordance with the rules it should be paid to the applicant within a period of three months from the date of receipt of a copy of this order.

5. There will be no order as to costs.

(V.D.DESHMUKH)  
Member(J)

4/   
(M.Y.PRIOLKAR)  
Member(A)

MD