

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
BANGALORE- 560 038.

Dated: 15 NOV 1994

APPLICATION NO: 875/94

APPLICANTS:- K. Venkataraman
V/S.

RESPONDENTS:- Controller of Defence Aps, Dehradun Cant.

- T.
1. Shri. K. Venkataraman
Senior Auditor
Local Audit Office (Airforce)
Hebbel, Bangalore-6.
 2. Shri. G. Shantiappa,
Add. C.G.S.C
High Court Bldg.
Bangalore-1

Subject:- Forwarding of copies of the Orders passed by the
Central Administrative Tribunal, Bangalore.

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Please find enclosed herewith a copy of the ORDER/
~~STAY ORDER/INTERIM ORDER~~ passed by this Tribunal in the above
mentioned application(s) on 10th November 1994

Issued on

16/11/94

[Signature]

[Signature]
of
for

[Signature]
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION No.875/1994

THURSDAY, THIS THE 10TH DAY OF NOVEMBER, 1994

SHRI T.V. RAMANAN .. MEMBER (A)

K. Venkataraman,
Senior Auditor,
Local Audit Office (Air Force),
Hebbal, Bangalore-6.

... Applicant

(In Person)

Vs.

1. Controller of Defence Accounts (Air Force),
107, Rajpur Road, Dehradun, U.P. State.

2. Controller General of Defence Accounts,
West Block V, R.K. Puram, New Delhi-66.

... Respondents

(By Advocate Shri G. Shanthappa,
Addl. Central Govt. Stg. Counsel)

ORDER

I have heard the applicant in person and the learned Additional Central Govt. Standing Counsel appearing for the respondents.

2. The question involved in this case is about grant of T.A. to the applicant who attended Hindi teaching classes for acquiring proficiency in Hindi. The applicant, like his colleagues did earlier, submitted his claim for Rs.840/- for journeys between his residence and the teaching centre. However, the first respondent rejected the claim stating that the applicant was entitled to prefer his claim only as if he has travelled by bus or local train, as the case may be. Aggrieved by this decision, the applicant preferred an appeal dated 5.6.1993 (Annexure-A) to the second respondent and submitted it to be forwarded through the Local Audit Office, Bangalore, in which he was working. The Local Audit Office forwarded the same



to the first respondent for onward transmission to the Appellate Authority, i.e., the second respondent. However, the first respondent without forwarding the appeal to the second respondent, i.e., the Appellate Authority, returned not only the appeal but the T.A. claim under a letter dated 18.8.1993, addressed to the Local Audit Office, Bangalore (Annexure-III).

3. Aggrieved by this action on the part of the first respondent the applicant has approached this Tribunal for redressal of his grievance.

4. That the applicant has a right to appeal is not disputed. In the normal course, the first respondent, against whose order rejecting the claim originally filed by the applicant, the appeal was preferred, should have forwarded the appeal to the second respondent. Instead of doing so, the first respondent, simply returned the memo of appeal to the Local Audit Office, Bangalore, along with the claim for T.A. filed by the applicant. The first respondent has thus not only denied the applicant his legitimate right to appeal but has also prevented the second respondent from exercising his authority to consider the appeal preferred to him by the applicant. It would, therefore, be appropriate that the second respondent is required to consider the appeal dated 5.6.1993 preferred by the applicant. It is understood that the appeal filed by the applicant which was returned by the first respondent to the Local Audit Office, Bangalore, has since been returned to the applicant by the Local Audit Office. In view of this, the applicant is at liberty to forward the appeal in question direct to the second respondent. The second respondent shall entertain the appeal and if he requires any information/comments from the first respondent, he may obtain the same at his level. If the

applicant should forward the appeal within a period of 15 days from the date of this order, the second respondent shall consider and dispose of the same within a period of two months from the date of receipt of the appeal. If the applicant feels aggrieved by the order in appeal to be passed by the second respondent, he will be at liberty to approach this Tribunal for redressal of his grievance.

5. This application is disposed of accordingly. No order as to costs.

Sch
mm
(T.V. RAMANAN)
MEMBER (A)



TRUE COPY

[Signature]
Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore