

CENTRAL ADMINISTRATIVE TRIBUNAL  
BENCH AT MUMBAI

ORIGINAL APPLICATION NO. 265/1997

Date of Decision: 08.12.1997

Dr. S. P. Jana,

Petitioner/s

Shri Suresh Kumar,

Advocate for the  
Petitioner/s

V/s.

Union Of India & Others,

Respondent/s

Shri V. S. Masurkar,

Advocate for the  
Respondent/s

CORAM:

Hon'ble Shri B. S. Hegde, Member (J).

~~Hon'ble Shri~~

- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to other Benches of the Tribunal ?

  
(B. S. HEGDE)  
MEMBER (J).

OS\*

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 265/97.

Dated this Monday, the 8th day of December, 1997,

CORAM : HON'BLE SHRI B. S. HEGDE, MEMBER (J).

Dr. S. P. Jana,  
(Ex. Superintendent),  
101, B. Saurabh Apartment,  
Maitri Park, Off Ambadi Road,  
Vasai (W) - 401 202,  
Dist. Thane,  
Maharashtra.

... Applicant

(By Advocate Shri Suresh Kumar)

VERSUS

1. Union Of India through  
The Secretary,  
Ministry of Agriculture,  
Dept. of Animal Husbandry &  
Dairying, Krishi Bhawan,  
New Delhi - 110 001.
2. The Joint Secretary,  
Ministry of Agriculture,  
Dept. of Animal Husbandry  
& Dairying,  
Krishi Bhawan, Room No. 234,  
New Delhi - 110 001 ... Respondents.
3. The Deputy Secretary,  
Ministry of Agriculture,  
Dept. of Animal Husbandry  
& Dairying, Room No. 337,  
Krishi Bhawan,  
New Delhi - 110 001.
4. Superintendent-In-Charge,  
Random Sample Poultry Performance,  
Testing Center, Aarey Milk Colony,  
Mumbai - 400 065.

(By Advocate Shri V. S. Masurkar)

: ORAL ORDER :

¶ PER.: SHRI B. S. HEGDE, MEMBER (J) ¶

Heard Shri Suresh Kumar for the applicant and  
Shri V. S. Masurkar for the respondents.

*BS*

...2

2. The Counsel for the applicant states that the payment of travelling allowances, after the retirement of the applicant to his home-town, amounting to Rs. 20, 786/- has been paid by the respondents after he filed the present O.A. on 06.06.1997. The applicant retired from service on 31.01.1996 and he preferred the claim on 29.03.1996, which was rejected by the respondents on 09.08.1996 stating that - "as per records, you are drawing your pension from State Bank of India, Branch Navghar Vasai, Thane, where you have owned a flat. So it is evident that you have settled down at Vasai only. Under the circumstances, the bills presented by you could not be considered favourably as per S.R. 147 (1). The Learned Counsel for the applicant draws my attention to S.R. 147 (1) which reads as below :-

**" Travelling Allowance to Central Government Servants on retirement :-**

The Travelling allowance referred to will be admissible in respect of the journey of the Government servant and members of his family from the last station of his duty to his home town or to the place where he and his family is to settle down permanently even if it is other than his declared hometown and in respect of the transportation of his personal effects between the same places."

The contention of the Learned Counsel for the applicant is that the applicant has not changed the home down declared by him earlier. His declared home-town is Calcutta and he has carried all his personal effects to his home-town and as per rules, he is entitled to the claim.

km

3. The Learned Counsel for the applicant further submits that only because the applicant is drawing his pension from the State Bank Of India, Branch Navghar Vasai, that does not mean that he has changed his home-town. He further submits that before the retirement of the applicant, he was required to give the name and address of the Bank from where he desires to receive his pension and accordingly, he ~~is~~ <sup>his</sup> now receiving/pension from the State Bank of India, Branch Navghar, Vasai. However, that does not prevent him from claiming the transportation of personal effects to his home-town which he has declared at the time of joining the service.

4. The Counsel for the applicant further submits that the travelling allowance amounting to Rs. 20,786/- has been paid by the respondents, and the applicant is claiming interest ~~on~~ on the delayed payment made by the respondents.

5. In the facts and circumstances of the case, the respondents are hereby directed to pay interest @ 12% p.a. on Rs. 20,786/- w.e.f. 29.03.1996 to 06.06.1997 within a period of two months from the date of receipt of this order. The O.A. is disposed of with the above directions. No costs.

*B.S.*

*B. S. Hegde*  
(B. S. HEGDE)

MEMBER (J).