

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.394/90

Date of order: 26.2.1992

BETWEEN:

T.Laxmaiah

... Applicant.

A N D

Union of India rep. by:-

1. Chief Postmaster General,
Andhra Pradesh Circle,
Hyderabad - 500 001.
2. Senior Post Master,
Secunderabad H.P.O.
3. Transport Manager,
A.P.Travel & Tourism
Development Corporation Ltd.,
Youth Hostel Compound,
Behind boats club,
Secunderabad - 500 003. .. Respondents.

Counsel for the Applicant .. Mr.TPV.Subbarayudu

Counsel for the Respondents .. Mr.N.Bhaskara Rao, ~~Def~~ Case

CORAM:

HON'BLE SHRI R.BALASUBRAMANIAN, MEMBER (ADMN.)

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

(Order of the Division Bench delivered by
Hon'ble Shri T.Chandrasekhara Reddy, Member(Judl.)).

This is an application filed under Section 19 of the Administrative Tribunals Act by the applicant herein to direct the respondents to pass the L.T.C. bill ~~of the applicant~~ and adjust the same against advance and not to recover the advance. The facts give ~~rise~~ ^{rise} to this application in brief are as follows.

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2. The applicant was working at the relevant time as Deputy Post Master Secunderabad. He availed Leave Travel Concession in the year 1989. The applicant is said to have performed journey in the bus belonging to Andhra Pradesh Travel and Tourism Development Corporation Ltd., on 6.5.89 and reached Raxaul on 13.5.1989 along with his family members consisting of his wife (1)T.Rajamma, (2)T.Raj Prakash (Son), (3)T.Dhan Prakash (Son), (4)T.Jaya Prakash (Son), (5)T.OmPrakash (Son). The applicant had put in a claim for the amount due to him towards Leave Travel Concession. The respondents have taken objection that the said L.T.C. Bill cannot be passed in view of the fact that the applicant had allegedly performed journey in a bus, the tour was conducted by M/S.Durga Travels, Hyderabad and not in the bus that was directly operated by the Andhra Pradesh Travel and Tourism Development Corporation Ltd., itself.

3. We have heard today Mr.TPV.Subbarayudu, Advocate for the applicant and Mr.N.Bhaskara Rao, Advocate for the respondents.

4. Annexure-6 of this OA is a copy of the L.T.C. certificate granted by the A.P.T.T.D.C. dated 26.6.1989 in favour of the applicant. In the said L.T.C. certificate the date travelled is shown as 6.5.1989 to 28.5.1989 and the cost of Ticket as Rs.1450/- and total amount collected from the applicant as Rs.8700/- and the persons that had travelled from Hyderabad to Raxaul are named as the applicant and his family members.

5. In the copy of the letter dated 5.2.1992 said to have been issued by the A.P.T.T.D.C.Ltd., it is also stated that the said LTC certificate issued for Rs.8700/- for T.Laxamaiah (Applicant) includes the Transport charges and other charges as shown and accordingly that the

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A.P.T.T.D.C. had collected the amount towards hire charges only.

6. It is not in dispute that the bus bearing No.AHT 5750 in which the applicant along with his family members is said to have performed the journey on Leave Travel Concession (L.T.C.) belongs to A.P.T.T.D.C. which is an autonomous body, if the said L.T.C. certificate dated 26.6.1989 and the ~~the~~ said letter dated 5.2.1992 are genuine ~~there~~ there is no reason why the L.T.C. Bill of the applicant that is pending before the respondents should not be admitted and be passed. We are of the opinion that the interest of Justice would be met if a direction is given to the respondents to ascertain the genuineness of the L.T.C. Certificate dated 26.6.1989 that is said to have been issued by the A.P.T.T.D.C. and also the letter dated 5.2.1992 issued to the applicant by the A.P.T.T.D.C. and the said certificate and letter that had been issued by the A.P.T.T.D.C. are found genuine to admit the L.T.C. Bill of the applicant and pass the same.

7. In the result we direct the respondents to ascertain the genuineness of the L.T.C. certificate dated 26.6.1989 and the letter dated 5.2.1992 issued by the A.P.T.T.D.C. and if the respondents are satisfied that the said L.T.C. certificate and the letter dated 5.2.1992 are issued by the A.P.T.T.D.C. to admit the L.T.C. Bill of the applicant and pass the same in accordance with law. The entire process of verification and passing the bill or rejecting the same shall be completed within 3 months from the date of receipt of this order. The Registry shall append to each of the copy of this order that is to b

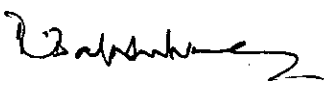
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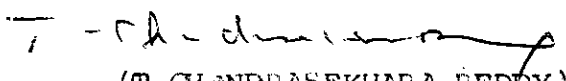
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served on the respondents copy of Annexure A-6 and the letter dated 5.2.1992 issued by A.P.T.T.D.C. to the applicant. With the said directions the OA is disposed of with no order as to costs.

8. This Bench has ordered by way of interim order dated 7.5.1990 directing the respondents not to recover the L.T.C. advance till the disposal of the case. The said order stands extended till the L.T.C. claim of the applicant is disposed of by the respondents.


(R. BALASUBRAMANIAN)
Member (Admn.)


(T. CHANDRASEKHARA REDDY)
Member (Judl.)

Dated 26th February, 1992.

(Dictated in the Open Court)


Deputy Registrar (Judl.)

Copy to:-

1. Chief Postmaster General, Andhra Pradesh Circle, Hyderabad-500 001. [with a copy of letter dt 26.1.89 dt 5.2.92 issued by APTTDC]
2. Senior Post Master, Secunderabad. H.P.O. [do]
3. Transport Manager, A.P. Travel & Tourism Development Corporation Ltd., Youth Hostel Compound, Behind Boats Club, Secunderabad- 500 003. [with a copy of letter dt 26.1.89 dt 5.2.92 issued by APTTDC]
4. One copy to Sri. T.P.V. Subbarayudu, advocate, Block 16, Flat No.5, Krupa Anand Apartments, Safilguda, Anandbagh, Hyderabad-500 047.
5. One copy to Sri. N. Bhaskara Rao, Addl. CGSC, CAT, Hyd.
6. One spare copy.

Rsm/-

sd


12/3/92

COA/14342 O.A. 394/90

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

~~THE HON'BLE MR.~~

V.C.

THE HON'BLE MR. R. BALASUBRAMANIAN, M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY;
M(JUDL)

AND

~~THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)~~

DATED: 26/2/-1992

ORDER/JUDGMENT:

~~R.A./G.A./ M.A.Nc.~~

in

O.A.Nc.

394/90

~~P.A.No.~~

(W.P.No.)

Admitted and interim directions
issued.

Allowed

✓ Disposed of with directions.

Dismissed

Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/ Rejected

✓ No order as to

