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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 939/92

Date of Order: 28.10.1992

BETWEEN:

K. Neerajanadh

.. Applicant.

A N D

1. The Sr. Supdt. of Post Office, Visakhapatnam.
2. The Director of Accounts (Postal) Abids, Hyderabad.
3. The Postmaster General, Visakhapatnam Region, Visakhapatnam.
4. The Chief Postmaster General, Andhra Circle, Hyderabad.
5. The Director General of Posts, New Delhi.

.. Respondents.

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Counsel for the Applicant

.. Mr. Krishna Devan

Counsel for the Respondents

.. Mr. N.V. Ramana

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CORAM:

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

--- T. Chandrasekhara Reddy

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

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This is an application filed under Section 19 of the Administrative Tribunals Act to declare that the applicant is entitled to get the daily allowance for the period of training undergone as Junior Accounts Officer which commenced from 16.5.1990 to 17.7.1990 outside the headquarters.

The facts giving rise to this OA in brief are as follows:

2. The applicant had been sent for training on promotion as Junior Accounts Officer from Visakhapatnam to various departmental units situated in Vizianagaram and Hyderabad from 16.5.1990 to 17.7.1990 as per the orders of the 1st respondent.. Admittedly, ~~th~~ at the place where the applicant had to undergo the training, the Government had not provided lodging and boarding facilities to the applicant free of cost. For all purposes, the applicant himself should be deemed to have been on "official duty" while undergoing the said training. As the applicant had been sent for training as per the orders of the 1st respondent and as the applicant should be deemed to be on "official duty" while undergoing the said training, it will be just and proper to give a direction to the respondents to pay the daily allowance to the applicant for the period of training in accordance with the rules.

3. Today we have Heard Mr. Krishna Devan, Advocate for the applicant and Mr.N.V.Ramana, Standing Counsel for the respondents.

*J. C. R.*

To

1. The Sr. Superintendent of Post Office,  
visakhapatnam.
2. The Director of Accounts (Postal)  
Abids, Hyderabad.
3. The Postmaster General, visakhapatnam Region,  
visakhapatnam.
4. The Chief Postmaster General,  
Andhra Circle, Hyderabad.
5. The Director General of Posts, New Delhi.
6. One copy to Mr. Krishna Devan, Advocate, CAT. Hyd.
7. One copy to Mr. N. V. Ramana, Addl. CGSC, CAT. Hyd.
8. One spare copy.

pvm.



4. Mr. N.V.Ramana, Standing Counsel for the respondents contended vehemently that as per the letter dated 17.8.1987 of the Director General of Posts, New Delhi, that the applicant is not entitled to the daily allowance during the period of training. Mr.N.V.Ramana maintained that the applicant has approached this Tribunal without exhausting the departmental remedies. As this OA is a covered matter we are of the opinion that this OA can be disposed of even though the applicant had not complied with the provisions of Section 20 of the Administrative Tribunals Act.

5. But when a person is deputed for training by the Government to a Station other than the station the applicant is working, we are unable to understand how the said person could be deprived of the benefit of the daily allowance etc. So, in view of this position, we are not proposed to give any credence to the said letter dated 17.8.1987 of the Director General of Posts, New Delhi.

6. Hence we direct the respondents to reimburse the applicant the daily allowance for which ~~they~~ <sup>he is</sup> are entitled in accordance with rules for the period of training. If any recoveries had already been made towards daily allowance that is made to the applicant, the same shall be refunded to the applicant. We further direct the respondents not to make any further recovery towards the said daily allowance <sup>from the monthly salary of the Applicant.</sup>  
This order shall be implemented within 3 months from the date of communication of the same. with the above said directions OA is allowed, leaving the parties to bear their own costs. Furnish a copy of this order to the Advocate for the applicant by tomorrow.

*T. Chandrasekhara Reddy*  
(T.CHANDRASEKHARA REDDY)  
Member (Judl.)

Dated: 28th October, 1992

(Dictated in Open Court)

*S. S. Srinivasulu Reddy*  
Deputy Registrar (G)

*mk*

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20/10  
TYPED BY  COMPARED BY  
CHECKED BY APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR  
AND  
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: 28-10-1992

~~ORDER~~ JUDGMENT:

R.A. /C.A. /M.A.No

in

O.A.No. 939/92

T.A.No.

(wp.No )

Admitted and interim directions  
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A.Ordered/Rejected

No orders as to costs.

pvm

