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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.706 of 1993

DATE OF JUDGMENT: 2nd July, 1993

BETWEEN:

Mr. T.Munirathnam Reddy .. Applicant

AND

1. The Sr. Superintendent of Post Offices,
Chittoor Division, A.P.
2. The Director General,
Department of Posts,
New Delhi-1.

.. Respondents

APPEARANCE:

COUNSEL FOR THE APPLICANT: Mr. Krishna Devan, Advocate

COUNSEL FOR THE RESPONDENTS: Mr. N.V.Ramana, Addl. CGSC

CORAM:

Hon'ble Shri T.Chandrasekhara Reddy, Member (Judl.)

JUDGMENT OF THE SINGLE MEMBER BENCH DELIVERED BY THE HON'BLE
SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDICIAL).

This is an application filed under Section 19 of the Administrative Tribunals Act, 1985 to declare that the applicant is entitled for grant of daily allowance for the period of induction to Postal Assistant Training in Banjara Hills Post Office, Hyderabad from 11.2.1991 to 3.5.1991. The facts so far necessary to adjudicate this OA in brief are as follows:-

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The applicant was working as Group-D in the Head Post Office, Chittoor Town and selected in the departmental examination for promotion to the cadre of Postal Assistant in the year 1990. Prior to appointment to such cadre, the applicant had undergone "Induction to Postal Assistant training (Theoretical)" in Banjara Hills Post Office, Hyderabad from 11.2.1991 to 3.5.1991 in pursuance of the orders of the 1st respondent in Memo No.B2.4/91, dated 5.2.1991. After completion of the training, the applicant had submitted a bill ~~for~~ claiming travelling allowance for the journey he had performed from Chittoor Town to Hyderabad city and back and also for the daily allowance for the period he had undergone the training in Hyderabad. According to the applicant, his claim for ~~for~~ the travelling allowance and the daily allowance, as per the letter No.Bgt/30/D/92-93, dated 21.1.1993 had been rejected, ~~disallowing the daily allowance.~~ So, the applicant has approached this Tribunal for the relief as already indicated above to direct the respondents to pay the daily allowance for the said period of training.

2. Heard Mr. Krishna Devan, learned counsel for the applicant and Mr. N.V.Ramana, learned Standing Counsel for the respondents. The fact that the applicant had undergone the said training from 11.2.1991 to 3.5.1991 in pursuance of the orders of the first respondent is not in dispute. During the course of the ~~experiments~~ training, the applicant should ~~have~~ naturally spent some amount from his pocket for his expenses while undergoing the said training. For all purposes, the applicant should ~~be~~ deemed to have been on official duty while undergoing the said training. So, as the applicant was on

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official duty while undergoing the said training, it is bounden duty of the respondents to pay the applicant the daily allowance to which he is entitled in accordance with the rules and regulations. The act of the respondents in not paying the daily allowance does not appear to be valid. Hence, this OA is disposed of by giving a direction to the respondents to admit the claim of the applicant for payment of daily allowance and pay him the daily allowance to which the applicant is entitled in accordance with the rules and regulations. If any payment had already been made towards the daily allowance to the applicant, the same shall be deducted from out of the applicant that is now payable to the applicant towards daily allowance in pursuance of these orders of the Tribunal. The orders of the Tribunal shall be implemented within a period of two months from the date of communication of this order.

3. The OA is allowed accordingly. Party shall bear his own costs.

(Dictated in the open Court).

T. C. R. (Signature)
(T. CHANDRASEKHARA REDDY)
MEMBER (JDUL.)

DATED: 2nd July, 1993.

Deputy Registrar (J)

To

1. The Sr. Superintendent of Post Offices,
Chittoor Division, A.P.

vsn

2. The Director General, Department of Posts, New Delhi-1.
3. One copy to Mr. Krishna Devan, Advocate, CAT.Hyd.
4. One copy to Mr. N.V.Ramana, Addl.CGSC, CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

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S. S. R. (Signature)
R. S. (Signature)

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTY : MEMBER (AD)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (J)

AND

THE HON'BLE MR. P. T. TIRUVENGADAM : M(A)

Dated : 2-7-1993

ORDER/JUDGMENT:

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

in

O.A. No. 706/93

T.A. No.

(w.p.)

Admitted and Interim directions
issued

Allowed

Disposed of with direction

DISPATCH

Dismissed

Dismissed as withdrawn

Dismissed for default

HYDERABAD BENCH

Rejected/ Ordered

No order as to costs

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3.8.93