

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.90/93

Date of Order: 5.2.1993

BETWEEN:

K.L.Narasimha Murthy

.. Applicant.

A N D

1. The Superintendent of Post Offices, Guntakal Division, Anantapur District, A.P.
2. The Superintendent of Post Offices, Kurnool Division and District (A.P.).
3. The Director of General of Posts, New Delhi

.. Respondents.

Counsel for the Applicant

.. Mr. Krishna Devan

Counsel for the Respondents

.. Mr. N.R. Devraj

CORAM:

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

T - C. M - S

.. 2 ..

Order of the Single Member Bench delivered by
Hon'ble Shri T.Chandrasekhara Reddy, Member(Jud1.).

This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to declare that the applicant is entitled to get the Daily Allowance for the period of training the applicant had undergone outside the headquarters and pass such other order or orders as may deem fit and proper in the circumstances of the case.

Today we have heard Mr.Krishna Devan, Advocate for the Applicant and Mr.N.R.Devraj, Standing Counsel for the respondents.

In similar matters the Division Bench of this Tribunal and Single Member Bench of this Tribunal had directed the respondents to pay the Daily Allowance in accordance with rules for the period of training ~~he~~ had undergone as Postal Assistant. ~~as~~ as the applicant is ~~not~~ similarly placed in all respects to the applicant in ~~this~~ O.A. ^{the deputed} ~~as~~ similar directions as are given in the O.A.s are also liable to be given in this O.A. Mr.N.R.Devraj, Standing Counsel for the respondents brought to our notice ~~that~~ a letter of Department of Posts of India that is issued from the Office of the Chief Post Master General, A.P.Circle, Hyderabad dated 5.3.1992, Wherein it is stated that "the President is now pleased to decide that Daily Allowance will be admissible to the Central Government employees deputed for training prior to appointment to higher posts." According to Mr.N.R.Devraj, as the applicant had undergone training as "Induction of P.A.s" training from the month of March 1990 to June 1990, ¹⁹⁹⁰ In view of the instructions of the said letter that the applicant is not entitled for payment of Daily Allowance as the instructions

T - C - R - P

(17)

therein have got only prospective effect. The averments in the O.A. would go to show that the applicant had submitted his bill for Travelling Allowance and Daily Allowance soon after the completion of training in the month of June 1990 and the said bill had been allowed only with regard to T.A. bill and had been rejected with regard to the D.A. claim. Ofcourse the said instructions in the letter dated 5.3.1992 refer to above had come into effect only from the date of issue of the said letter. Even though the instructions in the said letter had got prospective effect in view of our earlier judgements, we are not prepared to dis-allow the claim of the applicant for daily allowance. Hence the O.A. is liable to be allowed as already indicated above.

Hence we direct the respondents to reimburse the applicant the daily allowance for which he is entitled in accordance with rules for the period of training from 3.3.1990 to 19.6.1990 he had underwent at Mysore. If any payments had already been made the same shall be deducted from out of the amount that is payable in pursuance of this orders of this Tribunal. This order shall be implemented within three months from the date of the communication of the same. With the above said directions O.A. is allowed, leaving the parties to bear their own costs.

T. Chandrasekara Reddy
(T.CHANDRASEKHARA REDDY
Member(Judl.))

Dated: 5th February, 1993

(Dictated in Open Court) *A* Deputy Registrar(J)

To

1. The Superintendent of Post Offices,
sd Guntakal Division, Anantapur Dist.A.P.
2. The Superintendent of Post Offices, Kurnool Divn, and Dist(AP)
3. The Director of General of Posts, New Delhi.
4. One copy to Mr.Krishna Devan, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
6. One spare copy.

pvm

TYPED BY

CHECKED BY

3 COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. V. NEELADRI RAO : V.C.

AND

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

AND

THE HON'BLE MR. CHANDRA SEKHAR REDDY : MEMBER (J)

AND

THE HON'BLE MR.

DATED: 5 - 2 - 1993

ORDER/JUDGMENT:

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

D.A. No. 90 | in 93

F.A. No.

(W.P. No.)

Admitted and Interim directions issued.

Allowed

Disposed of with directions

Dismissed as withdrawn

Dismissed

Dismissed for default

Rejected/Ordered

No order as to costs.

