

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.224/93

Date of Order: 17.3.1993

BETWEEN:

Ch. Satyanaranaya

.. Applicant.

A N D

1. The Sr.Suptd. of Post Offices,
Visakhapatnam Division,
Visakhapatnam.

2. The Suptd. of Post Offices,
Anakapalli Division.

3. The Director General of Posts,
New Delhi.

.. Respondents.

Counsel for the Applicant

.. Mr.Krishna Devan

Counsel for the Respondents

.. Mr.N.V.Ramana

CORAM:

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

--- T. C. R. ---

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

This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to pay Daily Allowance to the applicant for the period of induction to Postal Assistant Training in PTC, Mysore from 23.10.1989 to 12.1.1990.

The facts giving rise to this O.A. in brief are as follows:-

2. The applicant was working as Postman in the Head Post Office of Visakhapatnam. In the year 1989, the applicant was selected in the examination for promotion, to the cadre of 'Postal Assistant'. Prior to such promotion, the applicant had undergone induction to Postal Assistant training in Postal Training Centre in Mysore from 23.10.1989 to 12.1.1990 as per the orders of the competent authority. After the completion of training the applicant submitted two bills claiming TA and DA on account of said training. Only TA bill was passed and DA bill was not passed. According to the applicant the DA bill of the applicant was refused in the month of June 1992. Before the applicant was sent for training advance of TA had been paid to the applicant. A sum of Rs.909/- ^{that was} was found to be excess ^{and so} towards that ^{was} paid to the applicant was recovered from the pay of the applicant for the months of June 1992 to August 1992. After issue of legal notice to the applicant on 16.2.1993 demanding the respondents to pay the applicant the DA and as there was no response from the respondents, the applicant had filed the present O.A. for the relief as already indicated above.

T. R. N. P.

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

4. Admittedly the applicant had undergone training by orders passed by the competent authority induction to Postal Assistants Training in PTC Mysore. So, for all ~~the~~ purposes the applicant must be deemed to have been on official duty outside the headquarters. So, as the applicant had been on duty outside the headquarters, in view of the orders passed by the competent authority, Certainly the applicant was entitled both for TA and DA. Admittedly the ~~applicant~~ TA claim of the applicant had been upheld and the DA ~~claim~~ had been rejected. As the applicant had a right to be paid the DA for the period of training he had undergone ~~the said training~~ at Mysore, the action of the respondents in not paying the DA to the applicant is not valid. Hence a suitable direction is liable to be given for the payment of DA to the applicant for the period of training the applicant had undergone at Mysore.

5. According to the applicant the DA bill of the applicant was refused in the month of June 1992, this O.A. is filed on 19.3.1993, So, as this O.A. is filed on 19.3.93 within ~~fx~~ one year from the date of the ^{said} refusal the O.A. is within time.

6. In the result, a direction is given to the respondents to pay DA for the period of induction to Postal Assistants Training the applicant had undergone in PTC, Mysore from 23.10.1989 to 12.1.1990. The respondents would be at liberty to adjust any amount ~~if~~ if already had been paid to the applicant towards DA in pursuance of the orders of this Tribunal.

T. C. R. f

7. O.A. is allowed accordingly leaving the parties to bear their own costs. This order shall be implemented within 3 months from the date of the receipt of ^{the same} ~~this~~ order.

T. Chandrasekhara Reddy

(T.CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 17th March, 1993 Dy. Registrar (Judl.)

(Dictated in Open Court)

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Copy to:-

1. The Sr. Supdt. of Post Offices, Visakhapatnam Division, Visakhapatnam.
2. The Supdt., of Post Offices, Anakapalli, Division.
3. The Director General of Posts, New Delhi.
4. One copy to Sri. Krishna Devan, advocate, 2-2-1107/172/3, Tilaknagar, New Nallakunta, Hyd-044.
5. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
6. One spare copy.

Rsm/-

O.A. 224/93

TYPED BY 257 COMPARED BY
CHECKED BY 257 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. R. BALASUBRAMANIAN :
MEMBER (ADMN)

AND

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

DATED: 12/3/-1993

ORDER/JUDGMENT

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

in

O.A.No. 224/93

T.A.No. (W.P.No.)

Admitted and Interim directions
issued.

~~O.A.~~ Allowed.

Disposed of with directions

Dismissed as withdrawn.

Dismissed

Dismissed for default.

Ordered/Rejected.

~~No~~ order as to costs.

pvm

