

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ♦ HYDERABAD BENCH

AT HYDERABAD

O.A.No.47/93

Date of Order: 27.1.1993

BETWEEN :

Vidyadara Prasad

.. Applicant.

A N D

1. The Senior Supdt. of
Post Officer, Hyderabad
City Dn., Hyderabad.

2. 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

CORAM :

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

--- T. Chandrasekhar Reddy

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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 obtained outside the headquarters and pass such other order or orders as may deem fit and proper in the circumstances of the case.

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

2. The applicant was working as Postman in Sub-Post Office of Hyderabad. In the year 1988, he has been declared successful in the competitive exam for promotion to the post of Postal Assistant. The applicant was deputed to undergo "Induction of P.A.s training at P.T.C. Mysore of Karnataka State", as per the orders of the First respondent dated 4.8.1988. The applicant actually underwent training at Mysore from 16.8.1988 to 5.11.1988. The respondents have paid only Travelling Allowance to the applicant for performing journey to Mysore where the applicant underwent the said training. The applicant was not paid D.A. during the period of training at Mysore. The applicant himself had borne all the expenses at Mysore during the period of training. The applicant had filed this O.A. for the relief as already indicated above.

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

4. Mr. N.V.Ramana, Standing Counsel for the respondents vehemently contended that the applicant is not

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entitled to daily allowance for the period of training at Mysore as per the D.Gs. letter dated 17.8.1987.

5. Admittedly the applicant had gone to Mysore to undergo the said training in pursuance of the proceedings dated 4.8.1988 issued by the First respondent. The fact that the applicant herein had completed training at Mysore in pursuance of the said orders of the First respondent dated 4.8.1988 is not in dispute in this O.A. Admittedly while undergoing the said training the applicant should have spent some amount towards boarding and lodging charges. For all purposes it has got to be taken that the applicant was "outside the headquarters on official duty while undergoing the said training". So as the applicant had been on official duty outside the headquarters it will be fit and proper to direct the respondents to pay the applicant the D.A. to ~~to~~ which he is entitled in accordance with rules. No doubt the contention of Mr. N.V. Ramana is, that the said D.A. cannot be paid to the applicant in view of the letter dated 17.8.1987 issued by the Director General. But no credence can be given to the said letter as already pointed out as it must be taken for all purposes that the applicant was on "duty" during the said training at Mysore. So they have got to be paid the D.A. as already pointed out in accordance with rules.

6. 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 16.8.1988 to 5.11.1988 he had underwent at Mysore. If any payments had already been made the same shall be deducted from out of the

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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: 27th January, 1993

(Dictated in Open Court)

8/2/93
Deputy Registrar (J)

To

1. The Senior Superintendent of Post Offices, Hyderabad City Division, Hyderabad.
2. The Director General of Posts, New Delhi.
3. One copy to Mr. Krishna Devan, Advocate, CAT.Hyd.
4. One copy to Mr. N.V. Ramana, Addl.CGSC.CAT.Hyd.
5. One spare copy.

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COMPARED BY

CHECKED 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: 27) -1993

ORDER/JUDGMENT:

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

in

M.A. No.

47/93

T.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.

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