

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 584/94.

Dt. of Decision : 11.11.94.

K. Siddeppa

.. Applicant.

Vs

1. The Chief Post Master General,
Andhra Circle, Hyderabad.

2. The Superintendent,
Railway Mail Service,
T.P. Division,
Tirupati.

.. Respondents.

Counsel for the Applicant : Mr. K. Ananth Rao

Counsel for the Respondents : Mr. N.R. Devaraj, Sr. CGSC.

CORAM:

THE HON'BLE SHRI A.B. GORTHI : MEMBER (ADMN.)

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O.A.No.584/94

Date of Order: 11.11.94

X As per Hon'ble Shri A.B.Gorthi, Member (Admn.) X

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The applicant claimed LTC for having travelled from Tirupati to Hrishikesh in 1982-83. The respondents alleged that the LTC claimed was fraudulently preferred by the applicant. When the respondents ordered recovery of the LTC an amount already paid to the applicant, he approached the Tribunal with OA.201/91. The said OA was disposed of with a direction to the respondents to place before the applicant the relevant evidence in position of the respondents and to give an opportunity to the applicant to refund the same. Thereupon the respondents initiated disciplinary proceedings against the applicant under Rule 16 of the CCS (CCA) Rules and awarded the applicant the penalty of reduction in time scale of pay for a period of 3 months without cumulative effect. On the conclusion of the disciplinary proceedings the respondents further proceeded in the matter of recovery of LTC amount and issued the impugned order dt. 22.1.94, directing recovery of LTC amount. The prayer of the applicant is for setting aside the said impugned order dt. 22.1.94.

2. Similarly situated other employees of the Postal Department approached the Tribunal claiming similar relief. The Tribunal, however, found no merit in the OAs filed by the said employees and dismissed the same.

3. In the instant case also we find that the respondents committed no irregularity whatsoever in effecting the recovery of the LTC amount paid to the

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applicant. Undoubtedly the claim was falsely made for which the applicant had been awarded a minor penalty. In the ~~circumstances~~ the recovery of the amount paid to the applicant cannot be said to be either unjust or unfair. In the result the OA is dismissed as being without any merit. There shall be no order as to costs.

Amritha

(A.B.GORTHI)
Member (Admn.)

Dated: 11th November, 1994

(Dictated in Open Court)

Amritha
Deputy Registrar (Judl.)

sd

Copy to:-

1. The Chief Post Master General, Andhra Circle, Hyd.
2. The Superintendent, Railway Mail Service, T.P.Division, Tirupati.
3. One copy to Sri. K.Ananth Rao, advocate, New Malakpet, Hyderabad-36.
4. One copy to Sri. N.R.Cavaraj, Sr. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Rsm/-

OA - 584/ay

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Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR.A.V.HIRIDHAN : MEMBER(J)

AND

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

Dated: 11/11/94

ORDER/JUDGMENT.

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

D.A.NO.

in
584/ay

T.A.NO.

(W.P.NO.)

Admitted and Interim Directions
Issued.

Allowed.

Disposed of with Directions.

Dismissed

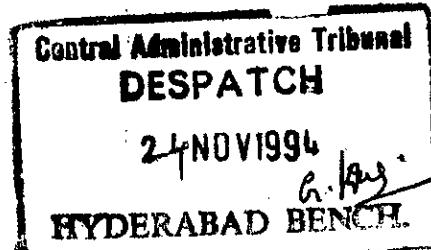
Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

YLKR



JG