

24

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. No. 699/94.

Dt. of Decision : 11.11.94.

N. Md. Rasool

.. Applicant.

Vs

Hyderabad. General.

2. The Superintendent,
Railway Mail Service,
Tirupati 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. GORTHY : MEMBER (ADMN.)

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in

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O.A.No.699/94

Date of order: 11.11.1994

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

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The applicant claimed LTC for having travelled
----- 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 said OA was disposed of
with a direction to the respondents to place before the
applicant the relevant evidence in ^{possession} position of the respon-
dents and to give an opportunity to the applicant to ^{rebut} 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.

3. 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.

4. In the instant case also we find that the
respondents committed no irregularity whatsoever in

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effecting the recovery of the LTC amount paid to the 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.


(A.B. GORTHI)

Dated: 11th November, 1994

(Dictated in Open Court)

sd


Deputy Registrar(Judl.)

Copy to:-

1. The Superintendent, Railway Mail Service, Tirupati Division, Tirupati.
2. The Superintendent, Railway Mail Service, Tirupati Division, Tirupati.
3. One copy to Sri. K. Ananth Rao, advocate, New Malakpet, Hyd-36.
4. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Rsm/-

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

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

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

Dated: 11/11/94

~~ORDER~~/JUDGMENT.

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

~~O.A.NO.~~

ⁱⁿ
699/194

~~T.A.NO.~~

~~(W.P.NO.)~~

Admitted and Interim Directions
Issued.

Allowed.

Disposed of with Directions.

Dismissed.

Dismissed as withdrawn.

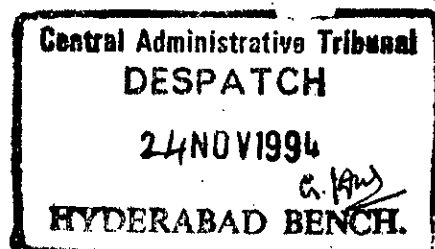
Dismissed for Default.

Rejected/Ordered.

No order as to costs.

NO SPARE COPY

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200