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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

O.A.NO. 723/94.

DATE OF JUDGMENT: 28.6.94.

BETWEEN:

Mr. P. Chandrashekhar Reddy

.. Applicant.

AND

Superintendent, Revenue,  
'TP' Division, Tirupati.

.. Respondent.

APPEARANCE:

COUNSEL FOR THE APPLICANT(s): Mr. D. Subrahmanyam

COUNSEL FOR THE RESPONDENTS: Mr. K. Bhaskara Rao,  
Addl.CGSC.

CORAM:

HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

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JUDGEMENT

I AS PER HON'BLE JUSTICE SHRI V. NEELADRI RAO,

VICE-CHAIRMAN I

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Heard Shri D. Subrahmanyam, learned counsel for the applicant and also Shri Bhaskara Rao, learned standing counsel for the Respondents.

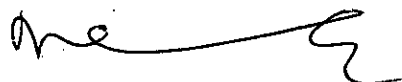
2. This application is filed praying for a declaration that the action of the Respondents in holding that the applicant produced false LTC bills <sup>and thereby</sup> recovering the LTC amounts already sanctioned as illegal and consequently <sup>to</sup> direct the Respondents to refund the amounts illegally recovered.

3. The applicant is working as RMS Sorting Assistant in RMS TP Division at Chittoor. The applicant submitted L.T.C. bills by stating that he availed L.T.C. in 1978-81 by going to Pathankot, and for going to Badrinath for the block period 1982-85 and the said bills were passed and the applicant was paid the amounts. But in 1990, the amounts covered by the <sup>above</sup> LTC bills were recovered from the applicant by stating that the applicant had not gone to Pathankota and Badrinath as claimed by him. The the applicant and 11 others filed OA 201/91 challenging the <sup>orders of</sup> recovery but even before that OA was disposed of, the entire amount was recovered from the applicant. The OA 201/91 was disposed of by order dated 18-3-92 by directing the Respondents to give the applicant an opportunity to examine evidence on the basis of which the recovery was ordered. Then the applicant was issued memo. No. J-16/3/PCR dated 21-12-92 (Annexure 4) under Rule 16 of CCS CCA Rules. <sup>The</sup> ~~Then~~ the applicant submitted his defence. It is stated for the applicant that

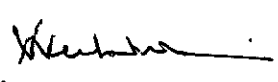
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without looking into his defence statement, a minor punishment of postponement of his increment for the period of 3 months was awarded. It is also stated for the applicant that as it is a very minor punishment, he has not preferred any appeal. But the fact remains that the punishment of withholding of increment for the period of 3 months was awarded on the basis of the finding that the applicant has come up with false LTC claims. That finding has become final. Hence it is not now open to the applicant to urge that the LTC claims for the block years 1978-81 & 1982-85 are genuine. The finding in the enquiry under Rule 16 of CCS CCA Rules to the effect that the claims of the applicant in regard to LTC said to have been availed by him for the block years 1978-81 & 1982-85 are not genuine, operates as a res judicata and on that basis the applicant's claim for the refund of the amounts covered by those two LTC bills and which <sup>was</sup> recovered in 1990-91 has to be dismissed.

4. In the result, this OA is dismissed, at the admission stage itself. No costs.



(R. RANGARAJAN)  
Member (Admn.)



(V. NEELADRI RAO)  
Vice-Chairman

Dated 28th June, 1994  
(Open court dictation)

NS

  
Deputy Registrar (J) CC

To

1. The Superintendent, R.M.S.,  
'TP' Division, Tirupathi.
2. One copy to Mr.D.Subrahmanyam, Advocate, CAT.Hyd.
3. One copy to Mr.K.Bhaskar Rao, Addl.CGSC.CAT.Hyd.
4. One copy to Library, CAT.Hyd.
5. One spare copy.

pvm

13/7/94  
21/7/94

OP. 723/94

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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. RANGARAJAN : M(A.D.M)

DATE: 28-6-1994

~~ORDER~~ JUDGMENT

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

in

O.A.No. 723/94  
(T.A.No.                      (W.P.NO                      )

Admitted and Interim directions  
Issued.

Allowed.

Disposed of with directions.

Dismissed of admission

Dismissed as withdrawn

Dismissed for Default.

Ordered/Refected

No order as to costs.

pvm

Central Administrative Tribunal  
DESPATCH  
25 JUL 1994  
HYDERABAD BENCH.