

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

O.A.NO. 723/94.

DATE OF JUDGMENT: 28.6.94.

BETWEEN:

Mr. P. Chandrasekhar Reddy

.. Applicant.

AND

Superintendent, ....  
'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 ]

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

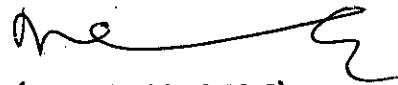
2. This application is filed praying for  
a declaration that the action of the Respondents in  
holding that the applicant produced false LTC  
and <sup>and thereby</sup> bills, recovering the LTC amounts already sanctioned  
as illegal and consequently direct the Respondents  
to refund the amounts 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  
applicant and 11 others filed OA 201/91 challenging  
the 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 direct-  
ing 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. Then the applicant submitted his  
defence. It is stated for the applicant that

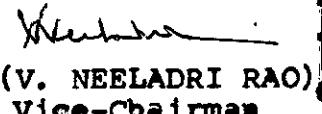
(DR)

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 res judicata and on that basis the applicant's claim for the refund of the amounts covered by those two LTC bills and which was recovered in 1990-91 has to be dismissed.

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



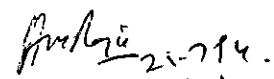
(R. RANGARAJAN)  
Member (Admn.)



(V. NEELADRI RAO)  
Vice-Chairman

Dated 28th June, 1994  
(Open court dictation)

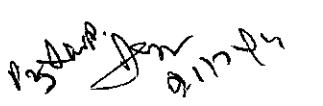
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Deputy Registrar (J) CC

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.

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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.K.RANGARAJAN : M(A.D.J.)

DATED: 28-6 - 1994

ORDER/JUDGMENT

M.A. No. / R.A. No. / 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 admissions.

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected

No order as to costs.

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