

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. NO. 1132/96

Date of Order: 26.11.96

(TWO A. 254/95 on file of
Hyderabad Bench)

BETWEEN:

G.Ratnaiah

.. Applicant in both the OAs.

AND

1. Union of India, rep. by the
Secretary, Dept. of Telecom,
Sanchar Bhavan, 20 Ashoka Road,
New Delhi - 1.
2. General Manager, Telecom,
Hyderabad Telecom Area,
CTO Building, Secunderabad.
3. Telecom Dist. Manager,
Anantapur.

.. Respondents in both the OAs.

Counsel for the Applicant

.. Party-in-Person

Counsel for the Respondents

.. Mr.K.Bhaskara Rao

CORAM:

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

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

J U D G E M E N T

X Oral order as per Hon'ble Shri B.S. Jai Parameshwar, M(J) X

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Since the applicant in these two applications is the same and the relief claimed are the same, hence they are and heard clubbed together.

2. The respondents have not filed reply statement inspite of sufficient opportunity being given to them. Even today the learned counsel for the respondents is absent. We have heard the applicant who is in-person and on the basis of the material available on record we are deciding this application.

3. The case of the applicant is that he is a diabetic patient and a tumor^{had} developed in his throat during September 1992, that the authorised medical attendant at Anantapur^{had} referred him to NIZAM's Institute of Medical Sciences, Hyderabad for biopsy and medical treatment as the said facilities were not available at Anantapur that the controlling officer having satisfied as to the need or necessity of the specialised treatment to him, referred him to NIMS for the undergoing/above tests that he underwent wedge biopsy on 3.11.92 and attended hospital on several occasions for check up and test, that he submitted the first two TA bills, that the said bills were passed by the Telecom District Manager, Anantapur (controlling officer) that he was advised by the medical attendant on 29.11.92 to attend NIMS in the last week of December 1992 for^a check up and accordingly on 16.12.92 he performed journey to Hyderabad by II Class express train and appeared before the medical attendant and after check up on 4.1.93 the medical attendant advised him to come again for liver function test and further check up during January 1993 itself. The applicant^{had} taken advance of Rs.800/- from the controlling officer and attended NIMS on 29.1.93 and 30.1.93

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by travelling in I class express train, that the respondents had rejected the said two TA bills on the ground that he had not furnished the first class ticket numbers and the certificate of authorised medical attendant.

4. In the first instance the applicant filed OA before the C.A.T., Ahmedabad Bench praying for directions to the respondents to consider his two TA bills submitted for Rs. 176 (during the month of December 1992) plus Rs.752/- (during the month of January 1993) in total Rs.928/-. While the application was pending before Ahmedabad Bench the applicant retired from service. Subsequently he filed another OA in this Tribunal No.1132/96 for the same reliefs. During the hearing, the applicant restricted his claim to Rs.900/- only.

5. It is the case of the applicant that he performed journey as per the directions given by the authorised medical attendant for undergoing medical tests at NIMS. He has travelled to Hyderabad during the month of December incurring an expenditure of Rs.176/- during the month of January 1993 he travelled to Hyderabad incurring an expenditure of Rs.756/-. It is the case of the applicant that he travelled to Hyderabad by train in first class.

6. The respondents have not filed any reply as stated above contesting the claim of the applicant, though they state that the number of the ticket does not tally when they cross examined him there ^{was} no proof to that effect was produced. In the absence of the reply it has to be held that those averments cannot be sustained. As the applicant is a retired employee, and as the amount involved is meagre to the extent of Rs.900/- only, there is no need to keep this OA pending till the respondents file

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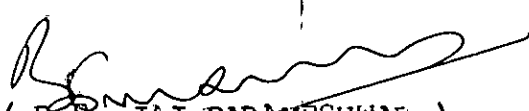
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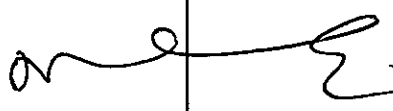
the reply. We thought it proper to dispose of the OA on the basis of the averments made by the applicant and other documents.

7. In the result, we find the applicant's version has to be accepted and has to be paid an amount of Rs.900/- against the claim made by him.

8. In the result, the OA is disposed of by directing the respondents to honour his claim to the extent of Rs.900/- only against the claim of Rs.928/-.

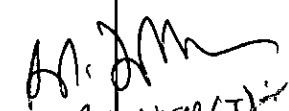
9. The OA is ordered accordingly. No costs.


(B.S. JAI PARAMESHWAR)
Member (Judl.)


(R. RANGARAJAN)
Member (Admn.)

Dated: 26th November, 1996

(Dictated in Open Court)


Dy. Registrar

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