

Central Administrative Tribunal
Jabalpur Bench at Gwalior

OA No.203/2003

Gwalior this the 29th day of October, 2003.

Hon'ble Mr. Shanker Raju, Member (Jud1)

Chaturbhuj Mankele -Applicant
(By Advocate - None)

-Versus-

Union of India & Others -Respondents
(By Advocate Shri P.N. Kelkar)

ORDER (ORAL)

1. Applicant impugns respondents' order dated 8.7.2002, rejecting his request for payment of TA claim. Applicant who was compulsorily retired as a penalty after a proceeding under Rule 14 of the CCS (CCA) Rules, 1965 contends that he is entitled for travelling allowance as compulsory retirement as per definition under Rule 48 of the CCS (Pension) Rules, 1972 does not amount to punishment. He relies upon explanation to Rule 11 of the CCS (CCA) Rules, 1965 to substantiate his plea.

2. Whereas respondents in their reply in so far as grant of TA is concerned, placing reliance on SR 147 contends that as per DO letter dated 1.9.1989 concession of TA is not admissible to government servants who are compulsorily retired as a major punishment.

3. As none appeared for applicant, even on the second call, the OA is disposed of in terms of Rule 15 of the Central Administrative Tribunal (Procedure) Rules, 1987.

4. On consideration of pleadings in the OA as well as contentions put-forth by the learned counsel for respondents as compulsory retirement has been awarded to applicant

in the present case by way of punishment under FR 56 (j) or under Rule 48 of the CCS (Pension) Rules, 1972, in view of instructions under SR 146 laid down by CAG a compulsory retirement as major punishment is barred for grant of terminal benefits. The OA, therefore, fails and is accordingly dismissed. No costs.

J. Raju
(Shanker Raju)
Member (J)

~~Received~~
7/11/07

J. Shaver, 1/12
J. W.
F. N. Kellner
P. W.