

CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH

OA No. 418/2006.

Jaipur, this the 1st day of November, 2006.

CORAM : Hon'ble Mr. M. L. Chauhan, Judicial Member.
Hon'ble Mr. J. P. Shukla, Administrative Member.

Dr. S. R. Trivedi
S/o Late Pandit Sri Krisnachandracharya
Aged about 61 years,
R/o Plot No.1 Shanti Ngar,
Old Hatwara Road,
Jaipur-6.

... Applicant.

By Advocate : Shri Damodar Mishra.

Vs.

1. Secretary,
Union of India,
Ministry of Health and Family Welfare,
Department of Ayurved, Yoga and Naturopathy,
Unani Sidha and Homeopathy (AYUSH)
IRCS Annexe Building, Red Cross Road,
New Delhi.
2. Additional Director,
Central Government Health Scheme,
Kendriya Sadan Parishar, Block 'B', Ground Floor,
Sector 10, Vidyadhar Nagar, Jaipur.

... Respondents.

: O R D E R (ORAL) :

The grievance of the applicant in this OA is that the claim for traveling allowance after his retirement has not been settled in accordance with SR 146 and SR 147. It is further averred that Respondent No.2 has rejected the claim of the applicant vide the impugned order dated 17.2.2006 (Annexure A/1) on flimsy grounds on the terms that the applicant is claiming ^{"TA"} _L not in respect of his home town but in respect of a place where

he intend to settle down and as such not covered by the rule.

2. It is further stated that a representation against the impugned order was also filed before Respondent No.2 whereby he was apprised about the Government of India Order No.1 under SR 147 whereby the case of the applicant is fully covered. It is further averred that Respondent No.2 has not passed any order on that representation till date.

3. We have heard the Learned Counsel for the applicant at admission stage.

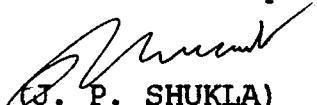
4. We are of the view that the matter can be disposed of at admission stage as prima facie it appears that the case of the applicant is fully covered under Government of India's orders Under SR 147 (1),, which is in the following terms :-

"(1) T.A to Central Govt. Servants on retirement.- The traveling allowance referred to (Under SR 146 & SR 147) will be admissible in respect of the journey of Govt. servant and member of his family from the last station of his duty to his home town or to the place where he and his family is to settle down permanently even if it is other than his declared home town and in respect of the transportation of his personal effects between the same places."

5. Accordingly, we are of the view that the matter can be disposed of at admission stage with a direction to Respondent No.2 to reconsider the matter again in light

of Government of India's Order No.(1) under SR 147 as reproduced above and in the light of averment made in representation dated 8.4.2006 (Annexure A/3) within a period of ~~three~~^{two} months from the date of receipt of a copy of this order by passing a speaking and reasoned order and in case the applicant is held entitled for the amount so claimed by him, the same shall be paid to the applicant expeditiously, In any case within three months from today. In case the applicant is still aggrieved on account of rejection of his representation, it will be open for him to approach this Tribunal again.

6. With these observations, the OA is disposed of at admission stage with no order as to costs.


(J. P. SHUKLA)
ADMINISTRATIVE MEMBER


(M. L. CHAUHAN)
JUDICIAL MEMBER

P.C./