

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

...  
**ORIGINAL APPLICATION NO.060/00026/2014**

**Order Reserved on 9.7.2014  
Pronounced on 17-7 2014**

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**CORAM: HON'BLE MRS. RAJWANT SANDHU, MEMBER (A).  
HON'BLE DR. BRAHM A. AGRAWAL, MEMBER (J).**

...  
Waryam Singh, Staff Car Driver (Retd.) S/o Sh. Gurdit Singh, Central Administrative Tribunal, Chandigarh, H.No.64-A, Sector 43-A, Chandigarh.

... Applicant

**Versus**

1. Union of India through Secretary, Department of Personnel & Training (Public Grievances), New Delhi.
2. Central Administrative Tribunal, Principal Bench, New Delhi through its Principal Registrar.
3. Central Administrative Tribunal, Chandigarh Bench, through its Registrar.

... Respondents

**Present:** Sh. Madan Mohan, counsel for the applicant.  
Sh. A.L. Vohra, counsel for the respondents.

**ORDER**

**BY HON'BLE MRS. RAJWANT SANDHU, MEMBER (A)**

1. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985, seeking the following relief:

- "8 (i) Quash Annexure A-1, A-2 and A-8.
- (ii) Direct the respondents to allow the claim of the applicant in terms of Annexure A-3.

*As*

- (iii) Grant interest @18% P.A. with effect from 07.3.2013 till actual payment on the amount of claim as per Annexure A-3.

2. Brief facts of the case are that the applicant was working as Staff Car Driver with respondent No.3 and retired after attaining the age of superannuation on 31.10.2011. The applicant was allowed to retain Govt. accommodation as per Rules till 30.6.2012 and this was further extended up to 8.10.2012.

3. Averment has been made in the OA that the applicant was entitled to grant of Traveling Allowance in respect of his shifting along with his family members from the last station of duty to his home town or to the place where he was settling down permanently. Since the applicant suffered from cardiac problem from 12.12.2012 to 18.2.2013, he submitted his TA bill only on 7.3.2013 to respondent No.3. However, the same was returned with observation that the claim had not been submitted within one year from the date of his retirement (Annexure A-8). The applicant preferred an appeal to Respondent No.2 but the same had been rejected vide letter dated 1.8.2013 (Annexure A-1). Hence this OA.

4. In the grounds for relief, it has been claimed that the requirement of submission of TA claim within one year of retirement is not absolute since there is provision for extending this by Administrative Ministries/Departments with approval of the F.A.

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concerned in individual cases in view of the special circumstances. It is stated that the applicant vacated the Govt. accommodation on 8.10.2012 and the period for allowing submission of TA claim should be counted from October 2012 onwards. Hence the claim submitted in March 2013 should have been treated as being within time.

5. In the written statement filed by the respondents, it has been stated that the applicant retired on 31.10.2011 and submitted his claim on 7.3.2013 after a lapse of one year and four months. The reason due to which the applicant could not submit his claim within prescribed time did not merit relaxation of the prescribed time limit as powers in this regard can be exercised only in special circumstances and not as a matter of routine. Finance wing of Central Administrative Tribunal had advised accordingly and it was for this reason that order dated 1.8.2013 (Annexure A-1) rejecting the TA bill dated 7.3.2013 had been issued.

6. Arguments advanced by learned counsel for the parties were heard when both the counsel reiterated the facts and grounds taken in the OA, rejoinder and written statement respectively, hence the same are not repeated here.

7. From the perusal of material on record, it is seen that the applicant had filed his representation dated 24.6.2012 regarding the rejection of his TA claim. In this letter there is no reference to any



cardiac problem but it has only been pressed that the one year period prescribed for submission of TA bills can be relaxed by Administrative Ministries/Departments. Hence ground taken by the applicant in the OA that he was suffering from a cardiac problem during 12.12.2012 to 18.2.2013 and hence he could not submit his TA claim is an afterthought and without merit. Since the applicant had vacated the allotted Govt. Accommodation on 8.10.2012 and had shifted his personal belongings from there, he could certainly have filed his TA claim within one year of his retirement date of 31.10.2011. Even if he had submitted the claim within reasonable time after vacating the Govt. accommodation, perhaps relaxation of the time period allowed for filing TA claim could have been exercised in his favour. However, no good ground has been made for delay of more than five months in filing TA claim after vacating the Govt. Accommodation.

8. Hence the present OA does not merit consideration and is rejected. No costs.

**(DR. BRAHM A. AGRAWAL)**  
**MEMBER (J)**

**(RAJWANT SANDHU)**  
**MEMBER (A)**

**Place: Chandigarh.**

**Dated: 17.7.2014**

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