

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the 27th day of February, 2019

Present:

Hon'ble Mr. Rakesh Sagar Jain – Member (J)

Original Application No. 330/00211/2017
(U/S 19 Administrative Tribunals Act, 1985)

B.C. Agrawal, Aged about 70 years,

S/o Sri Roshan Lal Agrawal,

R/o 03, Mahaveer Enclave Jatavpur, District Bareilly, (Uttar Pradesh).

By Advocates – Shri Dharmendra Tiwari

VERSUS

1. Union of India through the Secretary, Ministry of Defence (Army), New Delhi.
2. Director General (Personnel/E1), Military Engineering Services, Engineer in Chief's Branch Integrated, Headquarter of Ministry of Defence (Army) Kashmir House, Rajaji Marg, New Delhi – 110011.
3. CDA (Army)T-II Section Meerut Cantt. Meerut.
4. Commander Work Engineer, Military Engineer Services, Bareilly.
5. Garrison Engineer (I) Air Force, Military Engineer Services, Izzatnagar, Bareilly.

.....Respondents.

By Advocate : Shri V. K. Shukla

ORDER

Shri Dharmendra Tiwari, learned counsel for the applicant and Shri V. K. Shukla, learned counsel for the respondents are present.

2. Limited dispute in the OA, as to whether the amount of TA/DA claimed by the applicant is payable to him or not. It is the case of applicant that his amount of TA/DA was admitted by the audit party. However, thereafter, respondents deducted the said amount from his salary of June 2006. Applicant further submitted that he had filed his

application/representation (Annexure A1 to the O.A) requesting respondent No. 3 that the deducted amount has not been paid to him since the same had not accepted by audit party. Learned counsel for the applicant submitted that his representation/application dated 12.09.2007 has not been disposed of by respondent No. 3 till date and he will be satisfied if a direction is given to the respondent No.3 to consider and decide the representations dated 12.09.2007 (Annexure A-1) of the applicant by a reasoned and speaking order within a stipulated period of time.

3. On the other hand, learned counsel for the respondents submitted that the said TA/DA cannot be paid to him. Since applicant travelled in general compartment and deliberately claimed for 1Ind AC as such the OA should be dismissed

4. Heard and considered.

5. However, looking to the limited prayer sought by the learned counsel for the applicant during course of argument there would be no fruitful purpose to keep the O.A. pending and without commenting anything on the merits of the case, the O.A. is disposed of with direction to respondent No.3 to decide the representations dated 12.09.2007 of the applicant by passing a reasoned and speaking order within a period of two months from the date of receipt of certified copy of this order.

6. Accordingly, O.A. is disposed of. No order as to costs.

**(RAKESH SAGAR JAIN)
MEMBER (J)**