

**Central Administrative Tribunal
Principal Bench**

OA No.4175/2014

New Delhi, this the 30th day of July, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

Madhuri Dabral
Aged 51 years,
D/o Shri B. P. Dabral
A Non functional Selection Grade Officer of the
Indian Postal Service
Director (Training, Welfare and Sports)
Department of Posts
Ministry of Communications and Information Technology,
Dak Bhawan, Sansad Marg,
New Delhi 110 001.

(currently under posting to Guwahati)

Now residing at:
B-87, Sector Gamma-I,
Grater Noida,
Uttar Pradesh.

... Applicant.

(By Advocate : Shri S. K. Das)

Versus

Union of India through
Secretary
Department of Posts,
Dak Bhawan, Parliament Street,
New Delhi 110 001.

... Respondent.

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman:

The applicant is an employee of the postal department. She worked for some period at Indore. After she was transferred to Delhi, she received a Summon from a Court at Indore, to attend as a witness. On receipt of the

same, the applicant submitted a tour note to her superior at Delhi, the DDG. The tour programme is said to have been approved and accordingly the applicant was also paid an advance of Rs.10,070/-, and she attended the court at Indore. At a later stage, the same was not taken into account by the concerned authorities.

2. It appears that the applicant approached the Tribunal by filing an OA in relation to some other issue, and the same was disposed of directing the respondents to pass orders on the representation of the applicant.

3. Through a detailed order dated 15.10.2014, the respondents examined the plea of incurring the expenditure of Rs.10,070, and took the view that the same is not permissible since there was no case as per the vigilance report. This OA is filed challenging the said order dated 15.10.2014.

4. The respondents filed a counter affidavit reiterating the stand taken in the impugned order.

5. We heard Shri S. K. Das, learned counsel for the applicant and Shri N. D. Kaushik, learned counsel for the respondents.

6. It is rather unfortunate that a litigation of this magnitude had to be initiated in respect of a sum of

Rs.10,070. It is not, as if, the applicant attended the court without knowledge of the respondents. She submitted a note on 28.07.2010 before attending to the Court and that, in turn, was approved by the concerned authority on 29.07.2010. At this length of time, it is not permissible for the department to verify as to whether there was necessity for the applicant to attend as a witness in that case or whether it has any connection with the department.

7. We, therefore, allow the OA and set aside the finding in the impugned order, in respect of the claim of Rs.10,070. The matter in that behalf shall be treated as closed. If the said amount has been adjusted or recovered from the applicant, it shall be refunded to her along with the salary for the month of September, 2019. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/