

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

**OA/020/60/2017 &
MA/020/129/2019**

Dated: 14.02.2019

Between:

M. Ramachandra Rao,
S/o. Late M. Venkateswarlu,
Aged about 64 years,
Rtd. CAO/BSNL,
Vengamamba Nilayam,
17-9-15 Bose Nagar, Naidupeta,
Chirala.

A N D

1. Chairman & Managing Director (CMD), BSNL, Harish Chandra Mathur Lane, Janpath, New Delhi 6 110 001.
2. Chief General Manager, A.P. Telecom Circle, BSNL, Abids, Hyderabad.
3. Sr. General Manager, Telecom District, BSNL, Eluru, A.P.
4. Chief Accounts Officer (Cash), O/o. GMTD, BSNL, Eluru, A.P.
5. Accounts Officer (Claims), O/o. GMTD, BSNL, Eluru, A.P.

... Respondents

Counsel for the applicant : Mr. K.V. Manikya Rao
Counsel for the respondents : Mr. M.C. Jacob, SC for BSNL

CORAM:

Hon'ble Mr. Justice R. Kantha Rao, Member (J)
Hon'ble Mr. B.V. Sudhakar, Member (A)

ORAL ORDER

[Per Hon'ble Mr. Justice R. Kantha Rao, Member (J)]

Heard Shri K.V. Manikya Rao, learned counsel appearing for the applicant and Shri M.C. Jacob, learned Standing Counsel for the respondents.

2. MA filed for restoration is allowed. The O.A. is restored to file.
3. The applicant, while working as Chief Accounts Officer in Eluru in the department of the respondents, retired from service on superannuation on 31.12.2012. Prior to retirement, disciplinary proceedings were initiated against the applicant and they continued even after retirement. Therefore, the applicant had to stay at Eluru for the said purpose. The applicant submitted Retirement Travelling Allowance Claim (T.A. bills) dated 6.5.2013 stating that he moved his family to Hyderabad as a place of final settlement on 17.4.2013. He also submitted his address with Bank Account. The claim of the applicant was rejected by the 4th respondent vide order dated 23.8.2014 as the claim of shifting the family is found not genuine.
4. Subsequently, the applicant submitted another Retirement T.A. bill dated 6.5.2016 stating that he has moved to Chirala on 4.6.2015. The respondents rejected the said claim stating that only one claim is permissible within one year and intimated the same to the applicant vide proceedings dated 6.12.2016.
5. The contention of the respondents is that the applicant did not change his residence from Eluru and, therefore, he cannot claim Travelling

Allowance on the ground that he is staying with his son at Hyderabad. On the other hand, it is the contention of the applicant that in fact his own house at Chirala was under occupation of tenants and as it was not vacated, he moved to his son's residence at Hyderabad and only for the purpose of attending the inquiry, he was coming to Eluru.

5. The inquiry was concluded with the passing of the final order on 17.5.2014. Therefore, in our view, the claim made by the applicant in the first T.A. bill is not barred by time and he is entitled for one T.A. bill on retirement. Consequently, the O.A. is allowed. The respondents are directed to grant the applicant the Travelling Allowance claim dated 6.5.2013 from Eluru to Hyderabad, within three months from the date of receipt of a copy of this order. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (A)

(JUSTICE R. KANTHA RAO)
MEMBER (J)

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