
(2019) 07 CAT CK 0005

Central Administrative Tribunal Principal Bench, New Delhi

Case No: Original Application No. 592, 1973 Of 2018, Miscellaneous Application No. 2226 Of 2018

Ramesh Chand And
Ors

APPELLANT

Vs

CEO

RESPONDENT

Date of Decision: July 4, 2019

Hon'ble Judges: Nita Chowdhury, Member (A)

Bench: Single Bench

Advocate: Padma Kumar S., Rohit Sehrawat, Rajeev Kumar

Final Decision: Disposed Off

Judgement

1. MA No.2226/2018 for joining together is allowed for the reasons stated therein.

2. The applicants have filed these OAs, seeking the following reliefs:-

â€œ(A) Quash and set aside the impugned order dated 9.2.2016, 17.8.2017/29.8.2017 and 25.10.2017 (Annexure A-1) colly.

(B) Direct the respondents to reimburse the amount already recovered forthwith.

(C) Pass such further or other orders as this Honâ€™ble Tribunal may deem fit and proper in the facts and circumstances of the case and render

justice.â€■

3. Heard the learned counsel for the parties.

4. In support of these OAs, he has submitted copies of two judgments delivered by this Tribunal in OA Nos. 3161/2015 and 2537/2016 in which similar

issue was decided. He has also provided a copy of order of Honâ€™ble High Court dated 13.03.2019 in the matter of Govt. of NCT of Delhi & Ors.

v. Shakuntala Devi in which WP(C) No. 2072/2019 was preferred by the respondents wherein the Honâ€™ble High Court in paras 6 and 7 has

opined as under:-

â€œ6. Having considered the submissions of the learned counsel for the petitioner, we are unable to persuade ourselves to interfere with the impugned

order. In view of the undisputed fact that the respondent, who stands superannuated w.e.f. from 31.05.2015, had indeed travelled to Port Blair along

with her two family members by purchasing tickets from an unauthorised agent, as also the fact that there is no allegation of the tickets being fake or

forged, the finding of the Tribunal in the impugned order holding that even though she may not be entitled to the amount of Rs.1,62,216/- as had been

claimed by her, she was entitled to receive at least the amount of RS.68,325/- i.e. @ Rs.22,775/- per ticket which would be for the amount payable to

her had she purchased the ticket directly from Air India at the time of her travel, was fully justified in the facts of the case.

7. We find no reason to interfere with the impugned order. The writ petition, being meritless, is dismissed along with the pending applications.â€■

5. The respondentâ€™s counsel vehemently opposed the above submissions of the applicants and stated that the applicants of these OAs have never

submitted any representation with regard to the journey performed by them. He further states that the applicants should first be directed to make a

representation with regard to their claims in which each one must separately state the facts of their LTC journey along with the justification for

purchase of the tickets.

6. Counsel for the applicants accepts that no such representations have been filed by the applicants to the respondents as yet.

7. In view of the factual situation in this matter, we direct the applicants of these OAs to give separate individual applications to the respondents within

a period of 30 days from the date of receipt of copy of this order. Thereafter, the respondents are directed to dispose of the same with a reasoned and

speaking order in the light of the aforesaid decision of the Honâ€™ble Delhi High Court in the Shakuntalaâ€™s case (supra) within a period of 60

days from date of receipt of such representations made by the applicants.

8. With the above directions, both the OAs stand disposed of. No order as to costs.