

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

(2)

O.A. NO. 687/2001

New Delhi this the 19th day of March, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI GOVINDAN S. TAMPI, MEMBER (A)

B.R.Bhalla S/o Late Behari Lal Bhalla
R/O 9220/1 Gali No.6, West Rohtas Nagar
Shahdara, Delhi-32.

... Applicant

(By Shri S.K.Das, Advocate)

-versus-

1. Union of India through Secretary,
Ministry of Defence,
South Block, New Delhi.
2. Director General,
Research/Development
Directorate of Personnel (RD/Personal-10)
Ministry of Defence 'B' Wing,
Sena Bhawan, New Delhi-110001.
3. Director
Defence Scientific Information &
Documentation Centre (DESIDOC)
Metacalfe House, Delhi-54. ... Respondents

O R D E R (ORAL)

Shri Justice Ashok Agarwal:-

By an order passed on 20.12.1974 by the Trial court, applicant had been convicted for offences punishable under Sections 147, 341/149, 353/149, 332/149 and 427/149 I.P.C. and was sentenced to undergo rigorous imprisonment for 4 months and to pay a fine of Rs.100/-. In default of payment of fine, he was to further suffer rigorous imprisonment for a period of one month. By an order passed by the appellate authority on 1.10.1975, aforesaid order was modified and applicant was convicted under sections

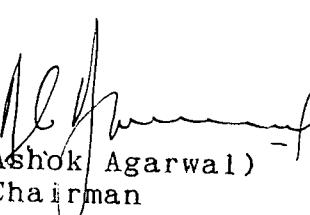


427 and 332 I.P.C. and was given benefit of Section 4 of the Probation of Offenders Act. Based on the aforesaid order of the appellate authority, applicant claimed certain service benefits such as treating the suspension period as having been spent on duty. Aforesaid claim was rejected by an order passed on 7.1.1976. Appeal preferred by the applicant against the aforesaid order of 7.1.1976 was also rejected by an order passed on 19.4.1976. Applicant has made a further representation for grant of the aforesaid relief on 24.5.2000. Aforesaid representation has been rejected by an order passed on 23.10.2000 both on merits as also on the ground of inordinate delay. Present OA is now instituted by the applicant on 15.03.2001.

2. Present OA, we find has been belatedly filed in respect of a claim rejected way back in 1976. Merely because applicant ^{is} ~~seems~~ to have filed further representation belatedly on 24.5.2000 would not bring his claim within limitation. What the applicant is now claiming is a claim which was rejected way back in 1976. Present OA filed in 2001, in our view, is hopelessly barred by time.

3. In the circumstances, present OA is summarily rejected.

(Govindan S. Tampi)
Member (A)
/sns/


(Ashok Agarwal)
Chairman