

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI.

O.A. 255/88.

Date of decision: 1.6.1993

Bhagirath Ram.

Petitioner.

Versus

Union of India & Ors.

Respondents.

CORAM:

THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.
THE HON'BLE MR. B.N. DHOUDIYAL, MEMBER(A).

For the Petitioner.

Shri Ashish Kalia,
proxy for Shri R.L.
Sethi, Counsel.

For the Respondents.

Shri P.P. Khurana,
Counsel.

JUDGEMENT (ORAL)

(By Hon'ble Mr. Justice V.S. Malimath, Chairman)

The prayer of the petitioner in this application filed in the year 1988 is for a direction to pay the amount due to him towards his bills for Rs.3,932.62P and Rs.1,456/- by treating the period from 16.12.1972 to 25.4.1976 as qualifying service for pension purposes.

2. The respondents have stated in the reply that the petitioner remained unauthorisedly absent from 16.12.1972 to 25.4.1976 without any leave or medical certificate and, therefore, this period has been treated as dies non. There is no reason to reject the statement of the respondents. If

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the petitioner had a case, one would have expected him to agitate the matter well in time. As the cause of action had arisen prior to three years of the filing of the application, this application is not maintainable. This petition fails and is, therefore, dismissed. No costs.

S.N. D.
(B.N. DHOUNDIYAL)
MEMBER(A)

V.S. Malimath
(V.S. MALIMATH)
CHAIRMAN

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