

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No.1198
T.A. No.

1987.

DATE OF DECISION September 7, 1987.

Shri N.H.Badlani,

Petitioner

In person.

~~XXXXXX~~ Advocate for the Petitioner(s)

Versus

Comptroller & Auditor General of Respondents.
India & Ors

None.

Advocate for the Respondent(s)

CORAM :

~~XXXXXX~~ The Hon'ble Mr. Kaushal Kumar, Member.

~~XXXXXX~~ Hon'ble Mr.

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether to be circulated to other Benches? *No*

A. Kumar

(KAUSHAL KUMAR)
MEMBER
7.9.1987.

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
DELHI.

REGN. NO. OA 1198/87.

September 7, 1987.

Shri N.H. Badlani ... Applicant
 Vs.
Comptroller & Auditor General of
India and Ors. ... Respondents.

CORAM:

Hon'ble Mr. Kaushal Kumar, Member.

For the applicant ... Applicant in person.

JUDGMENT:

The applicant has been heard at length. This is an application filed under Section 19 of the Administrative Tribunals Act, 1985, seeking payment of the balance amount of Rs.237.25 towards the reimbursement of medical claims for the period from 2.5.1973 to 16.6.1973 when the applicant fell sick. At that time he was posted as Resident Audit Officer, Hindustan Steel Ltd. at Calcutta. The applicant has since retired from service. The medical claims were rejected by his office viz. the Office of the Member, Audit Board & Ex-Officio, Director of Commercial Audit, Ranchi vide D.O. letter No. AE/Pf/73-74/496/1567
74-75

dated 19.5.1976. The applicant preferred an appeal against the said rejection to the Comptroller and Auditor General of India who also rejected the claims of the applicant vide letter No.2395-GE.II/24-81-II dated 6.11.1982 (page 7 of the application). The said letter inter alia states:

"Shri Badlani's representation had been considered several times in the past and rejected as the action of the Member, Audit Board and ex-officio Director of Commercial Audit, Ranchi to restrict the claim was in accordance with the orders/ clarifications on the subject. The matter may now, therefore, be treated as closed."

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A. Mehta

Thereafter the applicant's Advocate gave a notice under Section 80 C.P.C. on 17.12.1986. A reply was sent to the applicant by the Office of the Comptroller and Auditor General of India on 30.6.1987 again informing him that the medical claim under reference had been rejected earlier by the Director of Commercial Audit, Ranchi.

The application is hopelessly time-barred. This relates to a matter more than three years before the establishment of the Tribunal viz. prior to 1.11.1982 and the claim of the applicant had been finally rejected not only by his office but also by the Comptroller and Auditor General of India. A further representation or notice under Section 80 C.P.C. would not extend the period of limitation. The application being time-barred under Section 21 of the Administrative Tribunals Act, 1985, the same is rejected.


(KAUSHAL KUMAR)
MEMBER
7.9.1987.