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IN THE PREM TIRBALADHAN DOSTRAVINELM BIBUNAL

O.A.NO.251/93

New Delhi this the 8th Day of November, 1993.

Hon'ble Sh. B.N. Dhoundiyal, Member(A)

Smt. Sona Wati
widow of late Sh. Sohan Lal
Resident of 93, Ganesh Pura,
Roorkee, Distt. Haridwar,
Uttar Pradesh.

... Petitioner

(By Advocate Sh. B.R. Saini)

versus

1. Director General,
Council of Scientific & Industrial
Research, Anusandhan Bhawan,
New Delhi.

2. Director,
Central Building Research Institute,
Roorkee, Distt. Haridwar,
Uttar Pradesh.

... Respondents

(By Advocate Sh. V.K. Rao)

ORDER(ORAL)

This application has been filed by Smt. Sona Wati widow of late Sh. Sohan Lal who was employed as a Driver in the office of Central Building Research Institute, Roorkee, Distt. Haridwar, U.P. and died in harness on 24.5.1982. The O.A. mentions that the other son of the petitioner, namely, Sh. Sushil Kumar was employed as Frash with the respondents in the year 1986 is living separately. Though the petitioner has committed to mention this fact, it is mentioned by the respondents in the counter that six other brothers of the applicant are employed and one of them viz Shri Sushil Kumar was given appointment on compassionate ground. The widow is getting pension from the government. These facts have not been contradicted in the rejoinder filed by the applicant. Besides this application suffers from a number of infirmities; firstly as the applicant is resident of Utter Pradesh ^{and} the cause of action, if any, was against the Respondent No.2 again ^{and}
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located in Utter Pradesh, the Principal Bench has no jurisdiction unless a specific order is obtained from the Hon'ble Chairman under Section 25 of the Administrative Tribunals Act, 1985. Secondly, even if we count the limitation to arise from the date Sh. Shankar Lal had attained maturity i.e. in 1988, the application is hopelessly time barred. The learned counsel for the respondents has also raised the question of non-joinder of parties i.e. Sh. Shankar Lal himself is not named as an applicant.

The application fails on the above mentioned grounds and is hereby dismissed. There will be no orders as to costs.

B.N. Dhundiyal
(B.N. Dhundiyal) 8/11/93

Member(A)

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