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Court No.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.

O.A. No. 408 of 1988.

Smt. Jasjit Kaur ... Applicant.

Vs.

Union of India & others ... Respondents.

HON'BLE AJAY JOHRI A.M.  
HON'BLE G.S.SHARMA J.M.

( By Hon.A.Johri )

Heard Sri P.C.Jhingam counsel for the applicant. The applicant is challenging an order dated 27.4.85 ~~for~~ <sup>3/</sup> ~~from~~ <sup>3/</sup> dismissing her ~~services~~ <sup>3/</sup> and the appellate order dated 21.11.85 by which the appeal was rejected by the Controller General of Defence Accounts. The applicant had to move this Tribunal within one year of the receipt of the final order i.e. the appellate order dated 21.11.85. This application was moved on 28.3.88 it is thus barred by limitation. On the point of limitation, the applicant has said that she could not pursue legal action because she had to ~~be~~ <sup>3/</sup> <sup>3/</sup> moved along with her <sup>3/</sup> ~~a~~ husband who is <sup>3/</sup> member of Central Reserve Police Force and therefore she could not ~~be~~ <sup>3/</sup> getting appropriate <sup>3/</sup> ~~advice~~ <sup>3/</sup> ~~advice~~ regarding the period of limitation. She <sup>3/</sup> ~~has~~

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✓-advised

also said that she was ill ~~by~~ by the Civil Court lawyer that there is a three years limitation for filing an application before this Tribunal and that it was only on 5.1.88 when she came to Allahabad that she came to know that the limitation was one year after the receipt of the final order. It has been said that the ~~delay~~ thus in filing this application is neither deliberate nor wilfull.

2. We have heard Sri Jhingam on the point of limitation and ~~are~~ <sup>✓</sup> ~~are~~ <sup>✓</sup> convinced ~~not~~ <sup>✓</sup> ~~not~~ <sup>✓</sup> ~~convincing~~ that the reasons given can appropriately cover ~~the~~ <sup>✓</sup> the delay in filing this application. The application is barred by limitation and is therefore rejected at admission stage.

✓  
Dharmendra  
MEMBER (J)

✓  
B.S.R. <sup>✓</sup>  
MEMBER (A).

Dt. 11th, Jan., 1989.

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