

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.NO. 79 of 1995

Monday, the 16th day of January, 1995.

CORAM :

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR S P BISWAS, ADMINISTRATIVE MEMBER

1.	V.K.Johny, Pharmacist	Recruits Training Centre III CRPF, Pallipuram Thiruvananthapuram
2.	M.R.Rajendran Pharmacist	-do-
3.	M.S.Sudhakaran Ward boy	-do-
4.	K.Sulaiman Pharmacist	Group Centre Hospital CRPF, Pallipuram
5.	C.Mohan Lab Technician	Thiruvananthapuram CRPF, Pallipuram Thiruvananthapuram
6.	V.Rajendran Hospital Cook	-do-
7.	Leelamma Skaria Safai Karmachari	-do-
8.	G.Pullamma Safai Karmachari	-do-
9.	R.Jyothi Prasad Ward boy	-do-
10.	M.Karuppaiah Nursing Assistant	-do-
11.	V?Anjanadevi Ward girl	-do-
12.	Chandrasekhar Hospital cook	-do-
13.	K.Marimuthamal S/K	-do-

(By Advocate Mr. P. S. VASAVAN PILLAI)

vs.

1. The Union of India
represented by the Secretary
Ministry of Home Affairs
North Block, New Delhi
2. The Director General of Central
Reserve Police Force
Lodhi Road, New Delhi-110003
3. The Inspector General of Police
Southern Sector
Central Reserve Police Force
Road No.12, Banjara Hills
Hyderabad
4. The Additional Deputy Inspector
General of Police
Group Centre, CRPF
Pallipuram
Thiruvananthapuram

5. The Joint Director (Accounts),
Director General's Office,
Central Reserve Police Force,
New Delhi.
6. The Principal,
Recruits Training Centre,
3, CRPF, Pallipuram,
Thiruvananthapuram. ... Respondents

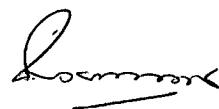
O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicants seek a direction to pay them "the hospital patient care allowance", with arrears from 1.4.1987. According to them, others similarly situated have been paid such allowances. The fact that persons who can broadly be described as similarly situated, have been granted reliefs is no ground to grant reliefs to those who do not make a claim in time. The fact that one group makes a timely demand and the other does not, itself makes them dissimilarly situated, and not similarly situated. As observed by the Supreme Court in Bhoop Singh's case (AIR 1992 SC 1414) and Hamsavani's case (1994)6 SCC 51, long and inordinate delay extinguishes the right and remedy. We do not think that a belated claim for a period going back to 1.4.87 can be granted, compelling respondents to incur unbudgeted expenditure. Applicants do not even appear to have made a request for reliefs before the respondents. Had they atleast made a request, instead of moving this Tribunal as a first level authority, perhaps a different approach might have been justified. However, respondents may consider the request made in A4 representation

for the period after the date of A4 and pass appropriate orders. Subject to this direction, we dismiss the application. No costs.

Monday this the 16th day of January, 1995.



S.P. BISWAS
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

*vsn"161.

List of Annexures

**Annexure A-4:- Representation dated 8/11/94 by
one of the applicants to the
4th Respondent.**