

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.169 of 1996

Thursday, this the 8th day of February, 1996

CORAM

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN  
HON'BLE MR P V VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

L. Sasidharan Nair,  
Upper Division Clerk,  
Subsidiary Intelligence Bureau,  
Ministry of Home Affairs,  
Government of India,  
Trivandrum.

.. Applicant

By Advocate Mr P. R.Padmanabhan Nair.

Vs

1 Assistant Director,  
Subsidiary Intelligence Bureau,  
Ministry of Home Affairs,  
Government of India,  
Trivandrum- 14.

2 Assistant Director,  
Subsidiary Intelligence Bureau,  
Ministry of Home Affairs,  
Government of India,  
Kohima.

3 The Director, Intelligence Bureau,  
I.B. Headquarters,  
New Delhi.

4 The Secretary,  
Ministry of Home Affairs,  
Government of India,  
New Delhi.

.. Respondents

By Advocate Mr T.P.M.Ibrahim Khan, Sr.CGSC(represented).

The application having been heard on 8th February 1996,  
the Tribunal on the same day delivered the following :

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant seeks to quash A-1 by which his  
request for 'Ration Allowance' was rejected. Since  
certain persons working at Kohima were granted such  
allowance, applicant who was also working at Kohima  
till 25.7.89, seeks the same benefit.

2 The grant of a benefit to other persons does not necessarily create an entitlement in applicant. As pointed out in Bhoop Singh's case, AIR 1992 SC 1414 and State of Maharashtra Vs Digambar, AIR 1995 SC 1991 long delay extinguishes not only the remedy but the right too. Applicant has therefore no enforceable right in the matter. Even assuming that he had a right, apart from laches, limitation also stands in his way. A monetary claim cannot be enforced after a period of three years as pointed out by the Supreme Court in M/s D. Cawasji and Co., Vs State of Mysore, AIR 1975 SC 813. A claim for a period ending with 1989 is hopelessly barred by limitation.

3 We dismiss the application. No costs.

Dated the 8th February, 1996.

  
P V VENKATAKRISHNAN

ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR (J)  
VICE CHAIRMAN

LIST OF ANNEXURE

1. Annexure A1 (Impugned Order I)

True copy of Memo No. 52/EST/CAT/95-2820 dated 24/7/95  
from the Assistant Director, Subsidiary Intelligence  
Bureau Kohima 2nd respondent with copy to the applicant.

.....