

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Lucknow Circuit Bench
Registration O.A.No.422/1990

&
Registration O.A. No.424/1990

Nand Kishore Srivastava Applicant

Versus

Union of India & Others..... Respondents

Hon.Mr.Justice K.Nath, V.C.

Hon.Mr.K.Obayya, Member (A)

(By Hon.Mr.K.Nath, V.C.)

These two applications under Section 19 of the Administrative Tribunals Act, 1985 are for recovery of certain arrears of salary and honorarium.

2. It appears that while in service, the applicant was placed under suspension on 19.4.84 but was reinstated on 16.1.86. The grievance in O.A. No.422/90 is that during the period 19.4.84 and 19.1.86 he had only been paid subsistence allowance and that on reinstatement he was entitled to be paid full salary. These applications were filed on 24.12.90. The applicant had made representations dated 30.4.86, Annexure-3 and 27.7.87, Annexure-4 but according to the applicant they have not been complied. The learned counsel for the applicant says that the claims relate to arrears and therefore notices may be issued to the respondents. There is no question of issuing the notices to the respondents as the claim is barred by time.

3. In case O.A. No.424/90 the learned hu

claimed payment of honorarium for the months of March/April, 1984. Annexure-1 is a letter dated 14.8.87 of the Senior Divisional Accounts Officer, Northern Railway, Lucknow in the matter of applicant's claim for honorarium which mentions that two bills for the month of March, 1984 were missing and the applicant had failed to return these bills and that complete return of bills is a pre-condition to grant of honorarium. Certain other grounds are also mentioned. The applicant seems to ~~make~~ ^{have made} a representation, Annexure-2 dated 21.8.87 in connection with Annexure-1. This representation does not appear to have been replied. The claim therefore is barred by time in this matter also.

4. We may mention this in para 3 of the application which deals with a statement on the matter of limitation, the stand taken is that the application is within limitation. We are of the view that these applications are beyond limitation. Both these applications are dismissed in limine.

R. K. Mitra
Member (A)

R. K. Mitra
Vice Chairman

Dated the 4th Feb., 1991.

RKM