

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No: 1211/92

Transfer Application No:

DATE OF DECISION 27-10-93

Mrs. V.G.Koppikar Petitioner

Shri S.Natarajan Advocate for the Petitioners

Versus

Union of India through Respondent  
Department of Tourism.

Shri V.S.Masurkar Advocate for the Respondent(s)

CORAM:

The Hon'ble ~~Smt.~~ Smt. L.Swaminathan, Member(J)

The Hon'ble Shri

1. ~~whether Reporters of vocal papers may be allowed to see the Judgement~~
  2. To be referred to the Reporter or not ?
  3. ~~whether their Lordships wish to see the fair copy of the Judgement ?~~
  4. ~~whether it needs to be circulated to other Benches of the Tribunal ?~~
- ND

*Swaminathan*  
(Smt.L.Swaminathan)  
Member(J)

NS/

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No. 1211/92

Mrs. V.G. Koppikar

... Applicant.

V/s.

Union of India through  
Secretary  
Department of Tourism  
Government of India  
Transport Bhavan,  
New Delhi.

The Regional Director  
Government of India  
Tourist Office  
123, M.Karve Road  
Bombay.

... Respondents.

CORAM: Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Appearance:

Shri S.Natarajan,  
counsel for the  
applicant.

Shri V.S.Masurkar, counsel  
for the respondents.

ORAL JUDGEMENT

Dated: 27.10.93

( Per Smt. Lakshmi Swaminathan, Member (J) )

Heard both the counsels.

2. The applicant, Mrs. Koppikar, who was working in the Department of Tourism as Information Assistant was transferred and posted to Government of India Tourist Office, Chicago, USA on 24.2.77. She was transferred back to India on 21.8.1982 and has since taken voluntary retirement from service with effect from 31.5.1991. After her transfer to Chicago, her husband joined her there only on 2.3.78 i.e. after one year which was permissible in her case under the Rules. The claim of the applicant is for refund of certain amounts, including the amount of Rs. 6,966/- recovered from her by D.D. dated 28.8.1986 in respect of the cost of travel of her husband from

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Madras to Chicago, ~~as~~ Rs. 4248.89 p. for carriage of excess baggage and foreign allowance for one day.

3. The learned counsel for the respondents has stated that the case is being ~~processed~~ for paying the amount of Rs. 4248.<sup>89</sup> The applicant is, therefore, not pressing this claim. He has, however, urged that the other claims in this application are time barred and cannot be admitted as they relate~~s~~ to events which occurred in 1978 and 1982.

4. The learned counsel for the applicant has submitted that since the respondents have now allowed the excess baggage allowance on 7.11.91 and this application has been filed on 20.10.92, it was within the period of limitation.

5. As regards the amount of refund of the passage money paid in respect of her husband it is seen from the facts that the applicant paid the amount at the behest of the respondents on 28.8.86 by Demand Draft. From the perusal of the facts and records in this case it is seen that apart from filing this application on 20.10.92, the applicant does not appear to have made any claim for the refund of Rs.6,966/- paid on 28.8.1986. In view of this and having regard to the provisions of Section 21 of the Administrative Tribunals, Act 1985 this claim for refund of the amount of Rs. 6,966/- is hopelessly time barred and is dismissed.

6. Since the respondents have already taken action for payment of the excess baggage amount of

Rs. 4248.89 the same may be paid to her within a period of 3 months from the receipt of this order. All other claims are dismissed. Application is disposed of with the above directions. No order as to costs.

*Lakshmi Swaminathan*  
(Lakshmi Swaminathan)

Member (J)

**NS**