

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.1649/97

dt.22-4-98

Between

Dr.WL Barwad

: Applicant

and

1. Union of India, rep. by
its Secretary
Min. of Ariculture
D/o Agriculture, Krishi Bhavan
New Delhi 1

2. Director General
ICAR, Krishi Bhavan
New Delhi 1

3. Director
Indian Grassland & Fodder
Research Institute
Jhansi, UP 284003

: Respondents

Counsel for the applicant

: S. Ramakrishan Rao
Advocate

Counsel for the respondents

: K. Bhaskar Rao
CGSC

Coram

Hon. Mr. H. Rajendra Prasad, Member(Admn.)

Order

Oral order (per Hon. Mr. H. Rajendra Prasad, Member(Admn.))

Heard Sri S. Ramakrishna Rao for the applicant and Sri K. Bhaskar Rao for the respondents.

1. The applicant in this case is claiming arrears of HRA from 18-10-1996. According to his own statement he did not realise that some arrears were due to him until 16-8-1996 on which date the 'due and drawn' statement was issued and supplied to him.

2. To the best of my knowledge no such due and drawn statement is due to be supplied to an officer in the normal course. The same may have been issued in some other context which may have occurred in course of the seemingly unceasing litigation indulged in by the applicant. However, not to put too fine a point on this, the fact nevertheless remains that when the officer did not receive the arrears of HRA to which he thinks he was entitled, I see no reason why he should not have become aware of such non-payment

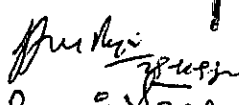
immediately after the date on which it became due or ^{instead of having to depend on due & drawn statements} within a reasonable lapse of time thereafter. In this case it should have been known by him that he has not been paid his HRA from 18-10-1986 onwards, whereas this OA has been filed only on 11-2-1997 i.e. after a lapse of 11 years.

3. The matter is too stale to be gone into and adjudicated at this distance of time. The relief claimed is hopelessly time-barred. The officer may represent his grievance to the concerned authorities and pursue his claim departmentally.

4. Thus the OA is disposed of.


(H. Rajendra Prasad)
Member(Admn.)

Dated : April 22, 98
Dictated in Open Court


Deputy Registrar

O.A.1649/97

To

1. The Secretary, Union of India,
Ministry of Agriculture,
D/o Agriculture, Krishi Bhavan,
New Delhi-1.
2. The Director General,
ICAR, Krishi Bhavan, New Delhi-1
3. The Director,
Indian Grassland & Fodder Research Institute,
Jhansi, U.P.3.
4. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT.Hyd.
5. One copy to Mr.K.Bhaskar Rao, Addl.CGSC. CAT.Hyd.
6. One copy to HHRP.M(A) CAT.Hyd.
7. One copy to DR(A) CAT.Hyd.
8. One spare copy.

pvm.

12/5/98
I COURT

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE

VICE-CHAIRMAN

AND

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

DATED: 22-4-1998.

ORDER/JUDGMENT

M.A./R.A./C.A.No.

in

O.A.No.

1649/97

T.A.No.

(w.p.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm.

