

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, 3

J A I P U R.

O.A. No. 418/93

Date of decision: 17.3.94

SMT. KESHAR DEVI & ANOTHER : Applicants.

VERSUS

UNION OF INDIA & OPS : Respondents.

Mr. B.L. Avasthi : Counsel for the applicant.

Mr. K.N. Shrimal : Counsel for the respondents.

CORAM:

Hon'ble Mr. Justice D.L. Mehta, Vice-Chairman

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE-CHAIRMAN:

Heard the learned counsel for the parties. Perused the pleadings of the parties.

2. It was submitted that the applicant's husband expired on 1.7.71. It was also submitted that on 26.12.86, application for appointment on compassionate ground was submitted and subsequently 8 applications were submitted from time to time, as referred to in para 3 of the application. Mr. Shrimal submits that the case is time-barred. Apart from that, in the light of the judgment given by Hon'ble Supreme Court in the case of LIC as well as taking into consideration that the application has been filed after 22 years of the death of the employee and even if it is accepted that the first application was filed on 26.12.86 which remained pending, even then the cause of action accrued on 26.12.86 and the application should have been filed 1 1/2 years thereafter.

3. In the facts and circumstances, I do not find any force in the O.A. and the same is rejected, with no order as to costs.

  
( D.L. MEHTA )  
Vice-Chairman

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LIC of India  
Vs.

Mrs. Asha  
Ramchandran  
Ambekar & Anr.