

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

REVIEW APPLICATION NO. 170/00004/2019

IN

ORIGINAL APPLICATION No.170/00507/2017

DATED THIS THE 12TH DAY OF FERUARY 2020

HON'BLE DR. K.B. SURESH, MEMBER (J)

HON'BLE SHRI CV. SANKAR, MEMBER (A)

Sudhakar Standly Gokavi,
Aged about 37 years,
(S/o late Standly Gokavi)
R/o Ganesh Colony,
Near Oshana Church,
Mantur Road,
Hubballi Dist,
Dharwad-580024.

.....Review Applicant

(By Shri P.Kamalesan Advocate)

Vs.

1. The General Manager,
South Western Railway,
Gadag Road,
PO;Hubli – 580020.

2. Chief Works Manager,
Work Shop,
South Western Railway,
Gadag Road,
P.O.Hubli-580020.

3. Works Shop Personnel Officer,
South Western Railway,
Gadag Road,
P.O.Hubli-580020.

4.Sri Arunkumar Standly Gokavi,
aged about 34 years
(S/o Late Standly Gokavi),
R/o House No.64,
Jantha House,
Heggeri Colony,
Bhuvaneshwari Nagar,
Hubbali-580024,
Dharwad.

5. Sri.Prabhakar Standly Gokavi
Aged about 40 years,
(S/o Late Standly Gokavi),
R/o Opposite Vivekanand Hospital,
SPG Church Compound,
Circuit House, Deshapande Nagar,
Hubbali,Dist. Dharwad-580 024.

6.Smt.Neela Gokavi,
Aged about 50 years,
(W/o Late Standly Gokavi),
R/o Back kannada Government Primary School,
Last Bus Stop, Anand Nagar,
Old Hubbali, Huballi-580 024.

...Review Respondents

O R D E R (ORAL)

HON'BLE DR. K.B. SURESH, MEMBER(J)

1. In this RA a deviation in the approach is sought for to the effect that the civil suit now pending between the alleged legal heirs may not have any effect on the compassionate appointment to be given. At this point, we also agree that one point has been missed out. To the deceased government employee there were three sons. The first son is already employed. The question then is whether the principle of indigency

will be attached to them or not. Quite obviously, it will not be. So on this ground also they are not eligible for compassionate appointment.

2. The other grounds raised in the RA also will not be worthwhile to be considered. Compassionate appointment is a back door entry which is prohibited under article 13 & 14 of the Constitution of India. But, still it is adhered to, as a special mechanism to provide for the family of a suddenly dying government servant, so that there will be prevention of vagrancy. That is the intention behind it. It is not intended as some sort of a hereditary employment.

3. RA lacks merit. RA is dismissed. No order as costs.

(CV. SANKAR)
MEMBER (A)

(DR. K.B. SURESH)
MEMBER (J)

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Annexures referred to by the applicant in RA.No.4 /2019

Annexure RA-1:Copy of order dated 23.10.2018 in OA.287/2017
& 507/2017