

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No. 585 of 1999

New Delhi, this the 11th day of December, 2000

HON'BLE MR. KULDIP SINGH, MEMBER (JUDL)

Shri Nahar Singh, age 29 yrs.
S/o Shri Ambe Prasad
184, Vill. Naharpur
Sector-7, Rohini,
Delhi-85

— APPLICANT

(By Advocate: None)

Versus

1. Union of India — Through
The Secretary,
Ministry of Defence
New Delhi
2. Engineer-in-Chief
E-in-C's Branch
Army Headquarters
New Delhi
3. Garrison Engineer,
Red Fort,
Delhi-6

— RESPONDENTS

(By Advocate: Shri D.S. Jagotra)

O R D E R (ORAL)

By Hon'ble Mr. Kuldip Singh, Member (Judl)

Applicant is seeking a direction to respondents to appoint him under indigent circumstances. He has sought for compassionate appointment on the ground that his father who was working under respondents, had died in harness on 11.3.90 leaving behind his wife, four sons and two daughters. The elder brother of the applicant is employed in Indian Army and is stated to be living separately. Applicant is stated to have made representations to respondents seeking appointment on compassionate grounds but the same had been rejected thrice.

2. None appeared for the applicant when the case

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was called out. Shri D.S. Jagotra appeared for the respondents and has been heard.

3. In his O.A., applicant has failed to make out a case as to how his case for compassionate appointment had been unlawfully rejected. He has merely stated in his O.A. that his case had been rejected by non-compliance of mandatory Govt. instructions but in the entire O.A., applicant has not been able to show as to which of the instructions had not been complied with.

4. On the contrary, respondents have submitted in their counter affidavit that the case of the applicant for compassionate appointment had been considered thrice but applicant could not be appointed. They have also submitted that the case of the applicant had been rejected after considering all the relevant Govt. instructions. Respondents have also taken the plea that the O.A. is time barred since repeated representations do not extend the period of limitation.

5. I am of the considered opinion that since the case of the applicant for compassionate appointment had been considered and rejected thrice and as no fresh ground has been made out in the present OA, it is liable to be dismissed. The O.A. is, therefore, dismissed. No costs.

Kuldeep Singh
(KULDIP SINGH)
MEMBER(JUDL)

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