

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.a. No. 1166/98

New Delhi this the 15th Day of February 1999

Hon'ble Shri R.K.Ahooja, Member (A)

Shri Vinod Kumar,
S/o Late Shri Prithvi Raj,
R/o B-10, Fire Station,
Chanakyapuri,
New Delhi-110 021.

(8)
Applicant

(By Advocate: Shri B.S. Charya)

-Versus-

1. Delhi Fire Service,
Hqrs., Connaught Circus,
New Delhi-110 001.
(Through its Chief Fire Officer)

2. Government of National Capital
territory of Delhi,
5, Sham Nath Marg,
New Delhi-110 054.
(Through its Secretary)

3. The Deputy Secretary (Hoime-III),
Govt. of National Capital
Territory of Delhi,
5, Sham Nath Marg,
Delhi-110 054.

Respondents

(By Advocate: Shri Rajinder Pandita)

O R D E R

The applicant was appointed as Lower Division Clerk under the Delhi Fire Service on compassionate grounds on the death of his father in harness on 23.11.1992. A Type I quarter earlier allotted to his father was also regularised in the applicant's name. The applicant now submits that he has been representing to the respondents for the allotment of a Type II quarter due to the large number of family members but even though he is entitled for such accommodation and some other LDCs appointed on compassionate grounds have been given Type II quarters, the same facility has been refused to him.

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(9)

2. I have heard the counsel. The short question is whether the applicant is entitled to the benefit of ad hoc out of turn allotment on the basis of his compassionate appointment even though this concession has already been availed of by him once before. The answer to this question has necessarily to be in the negative. The object of compassionate appointment is to mitigate the distress of the family which has been left in indigent circumstances due to the death of the only bread earner. Compassionate appointment is thus an exception to the general rule. The regularisation/allotment of Govt. accommodation on an ad hoc basis also arises from the same consideration. Once the preliminary object is met, no further consideration can be given on the same ground. Having joined the service on compassionae ground, the appointee has to get his further promotions in accordance with the normal service rules. Likewise, in the matter of allotment of higher accommodation also he has to take his own turn. The fact that some other appointees on compassionate grounds, at a latter point in time, got ad hoc allotment of a higher category house does not therefore create a fresh claim in favour of the applicant.

3. The application, therefore, being without merit is summarily dismissed. No order as to costs.

R.K. Ahuja
(R.K. Ahuja)
Member (A)

Mittal