

Central Administrative Tribunal
Principal Bench

O.A.No.1573/98
M.A.No.1638/98

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

New Delhi, this the 13th day of August, 1998

Shri Kunwar Pal
s/o late Nathi Lal
r/o Village & Post Arthoni
Agra, UP. ... Applicant

(By Shri M.P.Raju, Advocate)

Vs.

1. Union of India through
the Secretary
Ministry of Human Resources Development
Department of Education and Culture
New Delhi.
2. Director (Administration)
Archiological Survey of India
Govt. of India
Janpath
New Delhi. ... Respondents

O R D E R (Oral)

The applicant's father, who was a garden attendant at Sikandra in Dist. Agra, died on 8.3.1995. The applicant is aggrieved that though he made a representation for compassionate appointment, the same was rejected by the impugned order, Annexure-A1, by the respondents.

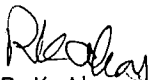
2. The learned counsel for the applicant submits that the ground for rejection of the request of the applicant was that he has an elder brother who is already employed. However the brother had obtained the appointment before the death of the applicant's father. The applicant's brother is of no assistance and help to the applicant, and consequently, the applicant is in dire economic straits.

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3. I have considered the case carefully. There are two sons of the late Government employee. His wife had already died. The elder son is admittedly in Government service. The applicant himself is 26 years of age and has apparently his own family. He therefore could not be considered as a dependent on his late father. It is also an admitted fact that applicant has received certain benefits on the death of his father and further more there are some ancestral properties also. The compassionate appointment is to be given only to tide over the difficulties faced by the family or the dependent because of the death of the only breadwinner of the family. Since the applicant's case does not fall within the ambit of this criteria he cannot expect the compassionate appointment. The OA is accordingly dismissed at the admission stage itself.


(R.K. Ahooja)
Member (A)

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