

Central Administrative Tribunal
Principal Bench: New Delhi

OA No.2002/95

New Delhi this the 24th day of October 1995.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

1. Smt.Janki Devi, wife of late Baljeet Singh
2. Sh. Ravinder Kumar, son of late Baljeet Singh
R/o H.No.2/3, Pushp Vihar
Sector-I, Saket
New Delhi.

...Applicants

(By advocate: Shri H.A.Ansari)

Versus

1. Union of India through its Secretary
Ministry of Human Resource Development
Dept. of Education, 'C' Wing, Shastri Bhawan
New Delhi.

2. Under Secretary (Admn.)
Dept. of Education
Ministry of Human Resource Development
Shastri Bhawan, New Delhi

...Respondents.

(None)

ORDER (Oral)


Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

This application is directed against an order dated 13.1.95 of the first respondent whereby the claim of the applicants for employment assistance to the second applicant on compassionate grounds was rejected. The first applicant is the widow and the second applicant is the son of late Baljeet Singh who died while working as UDC under the second respondent on 28.3.94. Shri Baljeet Singh is survived by his widow- the first applicant - and three sons of which the second applicant is the youngest. Claiming that two ~~sons~~ sons of Baljeet Singh other than the second applicant though employed are no more a source of help to the family since they have to support their own families and as the income earned by the second applicant out of his self employment is not enough to maintain the family, the applicants put forth compassionate grounds for employment. This claim has been rejected by the respondents and that is why the applicants are before the Tribunal seeking judicial intervention.

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2. Having perused the application and having heard the learned counsel appearing for the applicants, I am of the considered view that the respondents cannot be faulted for taking a decision that the circumstances of the case do not merit grant of employment assistance to the second applicant. It is not in dispute that three sons of Baljeet Singh are grown-up, able-bodied and employed though not in the government service. The second applicant for whom employment assistance is prayed for is also employed because it is admitted that he is self-employed and earning some income. The first applicant on the death of her husband is entitled to get family pension. The family has got other terminal benefits on the demise of Baljeet Singh. Documents placed on record reveal that the family is in possession of at least one residential house. The scheme for grant of compassionate appointment was evolved with the laudable idea of helping the family of a government servant dying unexpectedly while in harness leaving the family in destitution and indigence. It is not as if the idea is to give employment to every son or dependent of a government servant who dies in service. It is only in deserving cases to see if a family is able to get on that compassionate appointment is granted. Here is a case where three sons of Baljeet Singh are fortunately grown-ups and employed. The widow who is getting family pension and is owning a residential house, even without assistance, can get on without much difficulty. Therefore the decision taken by the respondents denying compassionate appointment to the second applicant is bonafide and that no judicial intervention is called for.

3. In the result, finding no merit even for further deliberation, the application is rejected under second 19 (3) of the Administrative Tribunals Act.


(A.V. Haridasan)
Vice Chairman (J)