

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 1283 of 1996

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New Delhi, dated the 29th May, 1997

HON'BLE MR. S.R. ADIGE, MEMBER (A)

1. Mrs. Prem Pyari,
W/o late Shri Faquir Chand,
61, Turkman Road,
New Delhi-110002.

2. Sandeep Sonker,
S/o Shri Faquir Chand,
61, Turkman Road,
New Delhi-110002.

... APPLICANTS

By Advocate: Dr. Laxmi Shastri proxy
counsel for counsel for
Mrs. Sarla Chandra

VERSUS

1. Director of Printing,
Ministry of Urban Affairs & Employment,
Nirman Bhawan,
New Delhi.

2. The Manager, L.P.U.,
Govt. of India Press,
Minto Road,
New Delhi.

3. Asst. Manager (Admn.) and
Estate Officer,
Govt. of India,
Ministry of Urban Development,
Directorate of Printing,
Govt. of India Press,
Minto Road,
New Delhi-110002.

... RESPONDENTS

By Advocate: Shri S.M.Arif

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

Applicant No.1 Mrs. Prem Pyari prays
for compassionate appointment of her son
Applicant No.2 and to allow her to continue
to occupy the premises allotted to her late
husband, till her son is granted
compassionate appointment.

2. When the case was called out Dr. Laxmi Shastri, proxy counsel for Mrs. Sarla Chandra for the applicant sought an adjournment on behalf of applicants' counsel Mrs. Sarla Chandra.

3. I notice that ^{Mrs Chandra} ~~she~~ had last appeared on behalf of the applicants in this case on 26.9.96. On the next date Shri Rajat Bali appeared as her proxy. Thereafter on 10.12.96 none had appeared on applicants' behalf. On 16.1.97 another proxy counsel appeared on behalf of Mrs. Chandra. Again on 18.2.97 a proxy counsel appeared and then none had appeared for the applicant for two consecutive dates i.e. on 14.3.97 and 15.4.97. The case posted for to-day, when again a proxy counsel has appeared and sought for an adjournment till 1.7.97 as Mrs. Chandra has proceeded abroad.

4. The prayer for adjournment is rejected as no good grounds have been made out to warrant grant of the same. I am proceeding to dispose of this O.A. after hearing respondents counsel Shri Arif and perusing the materials on record.

5. Shri Arif has stated that the name of applicant No.2 has been placed in the list of deserving candidates for grant of compassionate appointment and his case will be considered in his turn and this position has also been intimated to him.

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6. It is well settled that where the list of deserving candidates for compassionate appointment is large in respect of the number of available vacancies, persons on that list have to await their turn because any attempt to break the queue would itself be illegal and arbitrary.

7. That apart, no rules or instructions are available which permit the Tribunal to direct the Respondents to allow a Govt. servant to continue to occupy Govt. accommodation beyond the authorised period in expectation of her son being granted compassionate appointment and the accommodation being then regularised in his name.

8. Under the circumstances the O.A. warrants no interference. It is dismissed. No costs.

S.R. Adige
(S.R. ADIGE)
Member (A)

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