

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

Q.A. 601/96

This the 20th day of November, 1996.

HON'BLE SHRI R.K. AHOOJA, MEMBER(A).

1. Prem Krishan,
S/o Late Shri Mohan Manjhi
LDC, Min. of Rural Areas
Development, Krishi Bhawan,
New Delhi

2. Smt. Joshan Devi,
W/o Late Sh. Mohan Manjhi,
R/o SI/526, R.K. Puram,
New Delhi.

..... Applicants

(By Advocate Shri Ashish Kalra)

Versus

Union of India, through
The Director of Estate,
New Delhi.

..... Respondents.

(By Advocate Shri B. Lall)

ORDER(Oral)

The applicants submit that applicant no. 1 was given compassionate appointment as LDC w.s.f. 9.8.95 on the death of his father in harness on 11.12.1993. At the time of death of his father he was minor aged about 16½ years, and on attaining the age of 18 years in 1995 he was appointed as LDC on 9.8.95. Thereafter he submitted an application for regularisation of the quarter allotted to his late father in his name but the request was rejected by the respondent on the ground that the compassionate appointment had been secured ^{more than 12 months} after the death of his father. The applicant submits that the delay in appointment was only because of the fact that he ^{applicant} was under-age at the time of his father's death.

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2. I have heard Ld. counsel for the respondents, Shri Lall relied on the judgment of this Tribunal in OA 408/96 and similar other cases which were decided by Division Bench on 4.11.96. In that judgment, the decision of the respondents to refuse the regularisation of the quarter where the compassionate appointment had been secured after the stipulated period of 12 months, was upheld. In the present case also the delay in the appointment of compassionate ground was more than 18 months and therefore, the ratio of the judgment of the Division Bench, applies to this case also.

3. The O.A. is therefore dismissed. Applicants should vacate the quarter within a period of one month from today and hand over its vacant possession to the respondents. No order as to costs.

rb

R. K. Ahuja
(R.K. AHUJA)
M(A)