

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

O.A.No.2302/94

(6)
New Delhi: May 5, 1995

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

Hari Chand,
s/o Late Phool Chand (Brother of deceased),
r/o A-332, Minto Road,
New Delhi-2,Applicant.

By Advocate Shri M.A.Rehman.

Versus

1. Union of India through its
Secretary,
Ministry of Urban Development,
Govt. of India,
New Delhi.

2. The General Manager,
Govt. of India Press,
Minto Road,
New Delhi -2,Respondents.

By Advocate Shri Madhav Panikar.

JUDGMENT

In this application, Shri Hari Chand has
prayed for compassionate appointment consequent to
the death of his brother Shri Pool Chand, Labourer,
JOI Press Minto Road, New Delhi on 17.5.94.

2. The applicant who belongs to the SC community
claims that the deceased divorced his wife in 1984
and had two minor children died in 1983, and he
is now supporting his 75 years' old mother
(whose other son was the deceased Phool Chand)
besides his own family. Applicant's counsel has
sought to find support from Section 8 Hindu
Succession Act and the ruling in SIR 1994 (4) 134.

3. The respondents point out in their reply
that the applicant is not the legal heir of the
deceased Govt. Servant in his declaration form and

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nomination form for GPF, DCRG, Family Pension etc. in which the deceased employee had made his mother Smt. Rajjo Devi as the legal nominee. They also state that the applicant has not filed any supporting documents with his representation such as ration-card, education certificate, proof of age, relationship with late Govt. servant, details of family members etc., on the basis of which the claim of the applicant for compassionate appointment could be examined. It is ^{stated} furthermore, that the applicant's younger brother Gopi Chand is gainfully employed in Doordarshan Delhi.

4. The applicant in his rejoinder states that copies of the relevant documents have been supplied to the respondents, but have not been considered by them. He also states that his brother Gopi Chand is living separately and not supporting other family members of deceased Phool Chand.

5. There is merit in the respondents' contention that the primary objection of giving compassionate appointment is to give immediate relief and support to the family of the deceased Govt. servant to save them from indigence, and not to support the family of the brother of the deceased's Govt. servant. Under the circumstances, Section 8 Hindu Succession Act and SLR 1994(4) 134 does not help the applicant. Furthermore the applicant's younger brother is admittedly employed gainfully in Delhi Doordarshan.

6. Under the circumstances, I see no reason to interfere in this matter. The O.A. fails and is dismissed. No costs.

Arjungi
(S.R. ADIGE)
MEMBER (A)

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