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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

OA NO.2079/2004

New Delhi this the 27<sup>th</sup> August, 2004

**HON'BLE SHRI S.A.SINGH, MEMBER(A)**

Shri Ravinder Kumar,  
S/o Late Shiv Nandan,  
R/o 396, Teliwara  
Delhi - 110032.

...Applicant.

(By Advocate: Shri S.N.Anand)

Versus

1. Govt. of NCT of Delhi through  
Secretary (Services),  
Services-II Department,  
Delhi Secretariat,  
A-Wing, 5<sup>th</sup> Level: IP Estate,  
New Delhi.
2. The Development Commissioner,  
Govt. of NCT of Delhi,  
5/9, Under Hill Road,  
New-110054

...Respondents.

ORDER (ORAL)

**By Shri S.A.Singh, Member (A)**

The father of the applicant who was employed as Chowkidar in Govt. of NCT of Delhi under Respondent No.2 died in harness on 13.6.2000. The mother of the applicant requested for appointment of her son on compassionate ground. Vide impugned order dated 7.10.2002 respondents had informed that the claim of the applicant can not be considered for appointment on compassionate ground due to shortage of vacancies.

2. The applicant made a representation, which was turned down vide order dated 21.2.2002.

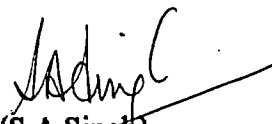
3. The grievance of the applicant is that his case may be considered for appointment on compassionate ground as per Govt. of India guidelines, more particularly as per OM dated 5.5.2004.

4. However, this OA has been filed on 19.8.2004 whereas the order of rejection of applicant's representation is dated 21.2.2003. Hence this OA is hit by limitation under

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Section 17 of the Administrative Tribunal Act, 1985. The applicant has filed MA 1771/2004 seeking condonation of delay. Each day of delay has to be satisfactorily explained and in the said MA the applicant has not given any indication as to why he could not file this application earlier except that he became aware of the DOPT's Memo dated 5.5.2003 recently. This is not an adequate explanation at all and as such the OA is barred by limitation under Section 21 of the Administrative Tribunal Act, 1985. The OA is accordingly dismissed as not being maintainable.

  
(S.A. Singh)  
Member(A)

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