

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

13

Regn. No. OA 983/1992

Date of decision: 27.08.1993

Shri Vinod Kumar

...Petitioner

Versus

The Director of Printing & Anr. .. Respondents

For the Petitioner ... Shri D.R. Gupta, Counsel

For the Respondents .. Ms. Jasvinder Kaur, Counsel
for Shri Jog Singh, Counsel

CORAM:

THE HON'BLE MR. JUSTICE S.K. DHAON, VICE CHAIRMAN
THE HON'BLE MR. B.N. DHOUNDIYAL, MEMBER (A)

JUDGEMENT (ORAL)

(By Hon'ble Mr. Justice S.K.
Dhaon, Vice Chairman)

The controversy relates to the offer of a suitable appointment on compassionate grounds. The materials facts are these.

Shri Karan Singh Tonk, the father of the petitioner was employed as a Copy Holder in the Government of India Press, Mayapuri, New Delhi. He died in harness on 08.10.1970 leaving behind two minor sons, one of them being the petitioner. The other son was younger to the petitioner. The younger brother of the petitioner has died. On 10.08.1990, the petitioner made an application for being appointed as Copy Holder. By a Memorandum dated 14.01.1991 of the Assistant Manager (Administration) the petitioner was informed that his request for appointment on compassionate grounds had not

been acceded to by the Directorate of Printing, New Delhi. Thereafter, on 5.2.1991, the grandfather of the petitioner addressed a Memorandum to the Ministry of Urban Development praying that a suitable appointment on compassionate grounds may be given to the petitioner. By a Memorandum dated 4.7.1991 issued by the Assistant Manager (Administration), the grandfather of the petitioner was called upon to furnish certain information. In particular, the grandfather was asked to intimate the whereabouts of the other grandson, his name, age, source of employment if any. He was also directed to disclose his assets.

On 06.07.1991, it is alleged, the grandfather of the petitioner submitted a reply to the queries made, however, nothing happened. The petitioner came to this Tribunal by means of this O.A. The principal prayer is that the aforesaid Memorandums dated 14.01.1991 and 04.07.1991 may be quashed.

In the counter-affidavit filed, the stand which appears to be taken is that the application given by the petitioner for being given an appointment on compassionate grounds is blatantly barred by time. It is to be noted that the petitioner could give a proper application only on attaining majority. There was bound to be ^{not} only delay but an

inordinate delay because the petitioner had to wait till he attained majority.

The respondents shall dispose of the application given by the petitioner's grandfather on 05.02.1991 in the reply alleged to be submitted by the grandfather. The copy of which has been annexed as Annexure A-1 to this O.A. They shall pass orders on merits. They shall not reject the application as barred by time. They shall pass a speaking order.

With these directions, this application is disposed of finally but without any order as to costs.

B.N. DHOONIYAL
(B.N. DHOONIYAL)
MEMBER (A)

27.08.1993

S.K. DHAON
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VICE CHAIRMAN
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