

THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,

ALLAHABAD

Dated: Allahabad this the 20th September, 1996

CORAM : Hon'ble Mr D.S.Bawejia, Member(A)

ORIGINAL APPLICATION NO. 272 OF 1996

Lakhan Lal son of Late Sri Jalim
aged about 35 years, resident of
Bola "hat, Cantt. Kanpur -
(C/A Sri D.P.Gupta) Versus

Applicant

1. The General Manager,
Ordnance Equipment Factory,
Phool Bagh at Kanpur
2. Union of India through Secretary
Ministry of Defence, Government
of India, New Delhi -

Respondents

(C/R)

ORDER (ORAL)

(By Hon'ble Mr D.S.Bawejia, Member (A))

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This application has been filed praying for quashing the impugned order dated 20.6.80 and 24.7.95 through which claim of the compassionate appointment has been rejected. Heard the counsel for applicant, it is noted that the applicant father died on 11.6.63. The family consisting of four sons and two daughters and a widow wife was left behind. The applicant is the youngest of the deceased employee's children. The applicant was minor at the time of death and became major in 1977. The applicant made a representation for the compassionate appointment and the request was rejected vide letter dated as (Annexure A-2). It appears that the applicant continued to

make representations, thereafter, and Respondents gave a reply to one of his representations vide letter dated 24.4.95 and letter dated 24.7.95. Since the letter dated 20.6.80 is impugned, for quashing, the Counsel for applicant was asked to explain as to how the application is not time barred. The applicant has pleaded that since the Respondents have considered the representations dated 24.3.95 vide letter dated 24.7.95, the application filed on 27.2.96 is within limitation. I am not inclined to agree with the contention of the application. The case of action arose after rejection of his request for compassionate appointment vide order dated 20.6.80. Any reply given by Respondent, without going into merit to the subsequent representation will not extend the period of limitation.

2. In view of the above facts, the application is highly time barred and, therefore, not maintainable and the same is dismissed accordingly.

D. R. Singh
MEMBER (A)

RJ