

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH  
ALLAHABAD.

Allahabad this the 6th day of May 1996.

Original Application no. 373 of 1996.

Hon'ble Mr. S. Dayal, Administrative Member.

Bhullan Prasad, S/o Late Shri D. Ayiyab, R/o House no. 47  
Nihalpur, P.S. Khuladabad, Distt. Allahabad.

... Applicant.

C/A Shri Piyush Mishra.

Versus

1. Union of India through Secretary Ministry of Defence, South Block, New Delhi.
2. Director General Ordnance Service Army Head Quarter, New Delhi.
3. Commandant Central Ordnance Depot, Fort Allahabad.

... Respondents.

C/R ....

ORDER (Oral)

Hon'ble Mr. S. Dayal, Member-A.

Shri Piyush Mishra learned counsel for the applicant. He wants to satisfy the court about the admissibility aspect of the application. He has cited two decisions 1992 ATC Vol 21 Pg 238, Om Prakash Sharma Vs. Union of India and others, and judgement of apex court in Education Service Cases, 1995 Vol 1 pg 12, Umesh Kumar Nagpal Vs. State of Haryana and others.

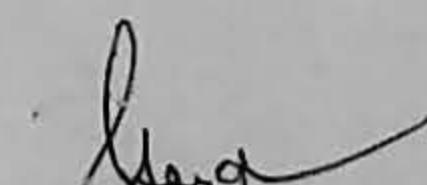
2. I have considered both the judgements. Learned counsel for the applicant stressed the fact that the applicant was minor at the time of demise of the employee.

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and, therefore, he was not entitled to employment under Government. He said that this aspect has not been touched in the judgement of the apex court in Umesh Kumar Nagpal's case.

3. The apex court has mentioned in its judgement that right of compassionate appointment is not awarded in the judgement of the apex court in the said case, also that there should be reasonable time limit within which compassionate appointment may be asked for. Thus the judgement of the apex court makes it clear that compassionate appointment is not to be considered after a very long time because the family has already tide over the financial hardships faced by it at the time of demice of the employee in harness.

4. Therefore, this application is not maintainable and is dismissed in limine.



Member-A

/pc/