

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH :  
ALLAHABAD**

Original Application No. 63 of 2001.

Allahabad this the 22<sup>th</sup> day of February, 2008

**Hon'ble Mr. Justice A.K. Yogi, Judicial Member**

Indrajeet son of late Dulli Chand, Ex-Mess Walter, Pass NO. 29 W/245,  
House NO. 13 R.A. Bazar, Top Khana, Cantt. District Allahabad.

.....Applicant

**By Advocate : Sh. S.C. Mandhyan.**  
**Versus**

1. Union of India, Ministry of Defence, Government of India, New Delhi, through its Secretary.
2. The Chief of the Air Staff, Indian Air Force, Air Head Quarter, Vayu Bhawan, New Delhi.
3. Air Officer Commanding, Air Force Station, Bamrauli, District Allahabad.
4. Devendra Kumar s/o late Kishori Lal- Laskar C/o Air Officer Commanding, Air Force Station, Bamrauli, Allahabad.

.....Respondents.

**By Advocate : Sh. Ashok Mohiley**

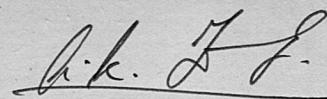
**ORDER**

Heard Shri S.C. Mandhyan, Advocate, appearing on behalf of applicant and Shri K.P. Singh, Advocate, holding brief of Shri Ashok Mohiley, Advocate, appearing on behalf of the respondents.

2. Father of the applicant Dulli Chand, a confirmed employee of respondent NO. 3, working as Mess Walter, died in harness on 27.12.1997. It is also not disputed before us with an application for

*(Signature)*

seeking compassionate appointment was made in June/September 1999 i.e. practically two years of the death of employee. This fact itself vitiated the necessity of making compassionate appointment since the object of same was/is to mitigate the immediate hardship of bread-earner/winner and the family in distress. The applicant admittedly did not approach for compassionate appointment expeditiously, it shows that there was no such distress. Apart from the above, Annexure 6 to the O.A. dated 23.3.1999, which is the report submitted by an Authority after enquiry under relevant Compassionate Rules shows as that the employee in question had left behind three sons (all major and married). This shows that they were not in distress. About 9 years have passed when father of the applicant had died. This is not a fit case where this Tribunal should entertain the O.A. The O.A. is accordingly dismissed. No order as to costs.

  
Member-J

Manish/-