

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

O.A.No. 807/87

Krishna Chandra Misra

Applicant

versus

Union of India & others

Respondents.

Hon. Mr. Justice U.C.Srivastava, V.C.
Hon. Mr. K. Obayya, Adm. Member.

(Hon. Mr. Justice U.C.Srivastava, V.C.)

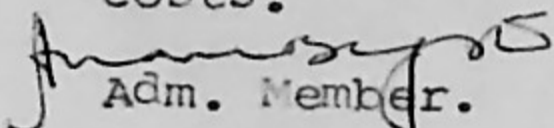
Applicant's father who was employed in the office of Garrison Engineer (West), Allahabad, died in harness on 10.7.83 leaving behind widow and 4 sons in the family. The first son also died leaving behind his widow and four children. The applicant's mother applied for employment/in place of deceased. In her application she stated that one of her sons is doing cultivation and the other is doing tuition and the fourth son may be given employment in place of the father of applicant. The application was rejected. Therefore, the applicant approached this Tribunal.


2. The respondents have rejected the claim of the applicant on the ground that there are three earning members in the family, even if two sons are living separate, one son is doing cultivation and the other is doing tuition and that the applicant has become over age.

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3. For compassionate appointment, age will not be a bar and in every such case relaxation can always be given. The applicant's case has not been considered in correct perspective. Accordingly, we direct the respondents to re-consider the case of the applicant in this light and in case the respondents find that he may be given appointment, the appointment may be given to the applicant without any delay within a period of three months of the communication of this order. We trust and hope that the applicant will be considered, particularly taking into account the fact that the other two brothers of the applicant are not in service and they are doing farming and tuition. The application is disposed of as above. No order as to costs.


Adm. Member.


Vice Chairman.

Allahabad Dt. 1.11.91.
Shakeel/