

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

Registration O.A. No.1241 of 1992

Harish Chandra      ...    ...    ...    Applicant.

Versus

Union of India  
and others      ...    ...    ...    Respondents.

...

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

The father of the applicant was working as Mechanist in the Ordnance Equipment Factory, Kanpur. He died on 12.1.1992 while he was in service leaving behind three sons. The elder brother of the applicant admittedly, in service and according to the applicant he is living separately since the life time of his father, and the applicant along with his younger brother is living in a rental house. The applicant moved a representation for giving him compassionate appointment in place of his father but his representation was rejected on 3.4.1990 and that is why he has approached the Tribunal.

2. According to the respondents, the family is not indigent circumstances. When the father of the applicant died, all the three sons were major. The eldest son was 34 years, the second was 26 years and the third was 24 years. These three brothers got a sum of Rs. 85867/- towards G.P.F., Gratuity and CGEIS. The applicant is also a married and he is not dependant and it cannot be said that he was dependant on his father.

The applicant has received Rs. 42933.50 in lump sum towards the terminal benefit which were admissible to the deceased employee. The younger brother of the applicant is a casual worker and the applicant is also employed in Food Linder Dalelpurwa and earning Rs. 400/- per month. In view of the fact, the applicant is also doing some work and his younger brother is also working as casual labour, it cannot be said that the family is wholly in indigent circumstances, as such, they cannot claim compassionate appointment in place of their father. But, in case the vacancies are available and no better person claiming compassionate appointment is available, the case of the applicant can even now be considered and let this consideration be done within a period of 6 months. The application is disposed of with the above directions. No order as to the Costs.

  
Vice-Chairman

Dated: 6.4.1993