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CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Original Application No. 1871 of 1994

Allahabad this the 29/1 day of March 1995

Hon'ble Mr. Jasbir S. Dhaliwal, Member(J)

Smt. Chanda Devi, Widow of Late Sri Yad Ram, R/o
Vill, Jamo, Post pragana and Tehsil Jaleshr, Distt.
Etah.

Applicant.

By Advocate Shri Satish Dwivedi
" Anil Dwivedi

versus

1. Union of India through Secretary Ministry of Railway, Government of India, New Delhi.
2. The General Manager, Northern Railway,
Baroda House, New Delhi.
- 3.8 The Divisional Rail Manager, Northern Railway,
Allahabad.

Respondents.

O R D E R

Hon'ble Mr. Jasbir S. Dhaliwal, Member(J)

The petitioner is seeking appointment for her son Kaushal Kishore on compassionate grounds pleading that her husband who was a permanent employee with the respondents died on 29.9.1977 in harness. The date of birth of Shri Kaushal Kishore is stated to be 20.7.1965. The petitioner being an illiterate lady was unable to apply for her own appointment

It is, ~~however~~ pleaded that the respondents had informed her that her son would be given appointment on compassionate~~@@~~ grounds when he attains majority. He became major as per para 5 of the petition on 29.7.1982, passed his High School Examination and Intermediate examination in the year 1984 and 1986 respectively. He applied for appointment on compassionate grounds in 1982 and another representation was made on 25.10.1983. It is pleaded that the matter was under consideration of the respondents till 14.12.1988.

The petitioner feels that appointment has not been given as application was not submitted within 6 months from the date of majority.

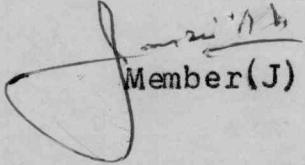
Thereafter, representations have been sent repeatedly.

2. It is true that the state and the Law favour the view that on death of a public servant his family should not be left in the lurch and appointments on compassionate grounds are made. Rules have also been framed to translate this ~~@@~~ intention ~~@@~~ into practice but, it cannot be said that it creates an absolute right for all times to come in favour of the close relatives of a deceased Government employee. Each case shall have to be considered on its own facts. The ~~@@~~ husband of the petitioner and father of Shri Kaushal Kishore had died on 29.9.1977 whereas

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Sri Kaushal Kishore attained majority in the year 1982. Now we are in the year 1995. Apparently no application was made immediately after attaining majority. This petition is badly time barred even in the light of the rules/circulars issued by the railway.

3. This petition is, therefore, dismissed. No order as to costs.



Member (J)

/M.M./