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CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

Allahabad this the 23rd day of February 1995.

Original Application no. 974 of 1994.

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

Harbans Singh, S/o Late Shri R.D. Singh, r/o Village
Piyoli, Pure Digamber, Pargana Gawarich, Tehsil
Colonelganj, Distt. Gonda.

... Applicant

C/A Shri R.K. Tewari

Versus

1. Union of India, through Secretary Ministry of
Science & Technology, Technology Bhawan, New
Mehrauli Road, New Delhi.
2. Surveyer General of India, Surveyer General Office,
Post Box No. 37, Mathi Barkala, Dehradun.
3. Addl. Surveyer General, Map Publication, Survey
of India, Post Box no. 28, Mathi Barkala,
Dehradun.

... Respondents

C/R ...

ORDER

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

This is an application under section 19
of the Administrative Tribunals Act, 1985, seeking
the relief of compassionate appointment for youngest
son after the death of father while in service.

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2. The order challenged by the applicant is order dated 21.04.93 of Respondent no. 2 rejecting the representation dated 18.09.91 of his mother for his compassionate appointment. This order was passed after the direction of the Tribunal in judgement dated 20.11.92 in O.A. no. 646/92 were conveyed to the respondents on behalf of the applicant. The directions were for consideration of the representation of the applicant's mother sympathetically for providing compassionate appointment to her youngest son.

3. The grounds of challenge are that three elder brothers of the applicant who are employed are not looking after the mother and the applicant who is the fourth and the youngest son is looking his blind mother. It is claimed that the applicant and his mother were totally dependent on meagre pensionary and terminal benefits given to his mother after his father's death.

4. The application of the applicant had been examined earlier and it was found that the passage of time showed that the family of the applicant had not fallen into indigent circumstances warranting compassionate assistance. The order passed after receipt of the direction of the tribunal for sympathetic reconsideration of the case took into account the fact that three brothers of the applicant earning and

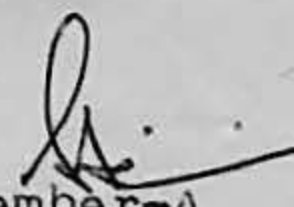
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that the application reached the Surveyor Generals Office on 24.04.90 which was after two and a half years of the applicant's father's death and the family was managing in the meanwhile and could not be considered to be in indigent circumstances. Besides the applicant was youngest of four brothers and three were earning and so no case for exception and giving compassionate appointment existed.

5. We find no reason to interfere with the order of the Respondent no. 2 made after reconsideration. The application is, therefore, dismissed.

6. The parties should bear their own costs.


Member-A

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