

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 27th day of November, 2000

Original Application No. 1608 of 1999

CORAM :-

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

Vijay Prakash Bhartiya  
S/o Late Shri Tara Chand,  
R/o V-Anapur,  
Post-Machhlisahar,  
Distt-Jaunpur.

(Sri Ram Chandra, Advocate)

. . . . . Applicant

Versus

1. The Garrison Engineer(East)  
Old Cantonment Area,  
Post-Teliarganj,  
Allahabad.
2. The Commander Works Engineer,  
M.E.S. (Opp. High Court Building)  
Allahabad.
3. The Chief Engineer,  
HQ Central Command, Cantt. Area,  
Lucknow.
4. The Engineer-in-Chief's Branch,  
Army Headquarters, DHPO  
New Delhi-110011.
5. The Union of India  
Through the Secretary Defence,  
Ministry of Defence,  
Sena Bhawan, New Delhi.

(Sri S. Mandhyan, Advocate)

. . . . . Respondents

O R D E R (O\_r\_a\_l\_)

By Hon'ble Mr. Justice R.R.K. Trivedi, Advocate

By this OA filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for a direction to the respondents to pay the applicant in BR-II Grade for which he is educationally qualified at an early date on compassionate ground.

2. The case of the applicant is that the father



of the applicant Tara Chand died while he was serving as U.D.C. in the Office of Assistant Garrison Engineer (MES) Fort Allahabad. He died on 24-5-1993 in harness. He left behind his family members but without any bread earners. There was no alternative source of livelihood. The applicant applied for his appointment on compassionate ground. The applicant's mother submitted an application on 31-10-1995 for appointing the applicant but no action has been taken. The CA has been filed in which it has been stated that after the death of Tara Chand the applicant through his mother applied for appointment. However, certain information was lacking for which the letter was written on 1-3-2000. A letter was also written on 17-4-2000 for supplying certain necessary information and it is also stated that the application is under process. Since the application for appointment on compassionate ground is pending since, 1995, more than five years have passed, which appears to be too long period for taking a decision on such matters. The purpose and object behind such appointment is to provide minimum help so that family may not suffer. The fact that some amount has been paid to the family of the deceased cannot be termed as an excuse, for this delay. The life time saving of the deceased employee is for use during the period of distress and not for daily maintenance. In my opinion the respondents have taken unduly long period in deciding the case. Considering the facts and circumstances of the case, this application is disposed of finally with the direction to the respondents no.4, Engineer-in-Chief, Army Headquarters, New Delhi, to decide the application of the applicant for appointment on compassionate ground within a period of two months from the date of receiving a copy of this order. A copy of this order shall be supplied to the parties



within a week.

3. There shall be no order as to costs.



Vice Chairman

Dube/