

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 3rd DAY OF MARCH, 2003

Original Application No. 1406 of 1999

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

Ashok Kumar Gupta, son of
Late Nand Kishore Ram
Resident of Sanghati, P.O.
Keshavpur, district Chandauli(UP)

... Applicant

(By Adv: shri S.K.Dey)

Versus

1. Union of India through
General Manager, Eastern
Railway, Kolkatta-1.
2. The Divisional Railway Manager,
Eastern Railway, Mughalsarai,
District Chandauli,U.P.

... Respondents

(By Adv: Shri A.K.Gaur)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA u/s 19 of A.T.Act 1985 applicant has prayed for appointment on compassionate ground and also to quash the order dated 18.5.1999(Annexure 10).

The facts of the case are that father of the applicant late Shri Nand Kishore Ram died on 22.4.1972. The claim of the applicant for appointment on compassionate ground has been rejected by the impugned order on the ground ~~that case is~~ ^{that case is} by now 30 years ^{I have based} ~~old~~ and there is no justification for a compassionate appointment. It is also stated that applicant is a posthumous child and mother of the applicant has been remarried. It cannot be disputed that object ~~of~~ ^{is} behind providing compassionate appointment, is to provide

immediate help to the family which is rendered breadless on account of sudden demise. However, in the present case by now 30 years have passed, the object has become non-existent. ^{if} the applicant has survived for this long period he can maintain himself further. The Hon'ble Supreme court in case of 'Haryana State Electricity Board Vs. Naresh Tanwar' and another 1996 SCC(L&S) 816, ~~the~~ ^{the view which} ~~view~~ expressed ~~by Hon'ble Supreme court~~ is squarely applicable in the facts of the present case. There is no merit in this case, the OA is dismissed accordingly. No order as to costs.


VICE CHAIRMAN

Dated: 3rd March, 2003

Uv/