

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,

ALLAHABAD.

....

Original Application No. 1073 of 2002.

this the 11th day of November 2002.

HON'BLE MRS. MEERA CHHIBBER, MEMBER (J)

Smt. Daya Devi, W/o late Dakhi Lal, R/o 25, Topkhana, R.A.
Bazar, New Cantt., Allahabad.

Applicant.

By Advocate : Sri Ram Chandra.

Versus.

1. Commandant, Ordnance Depot, Fort, Allahabad.
2. Commandant, Central Command (Ordnance), Headquarters,
Central Command, Lucknow.
3. The Director General of Ordnance Services (OS-SC),
Army Headquarters, DHQ, P.O. New Delhi.
4. The Union of India through Secretary, Ministry of
Defence, Sena Bhawan, New Delhi.

Respondents.

By Advocate : Sri R.K. Tewari.

ORDER (ORAL)

This O.A. has been filed by the applicant claiming
the following reliefs :

" To issue an order or direction to the respondents to appoint the applicant to any class IV post of peon on compassionate grounds after quashing the order dated 17.5.2002 whereby the respondents have informed the applicant that she had already been informed about the result of her son's case as back as by letter dated 21.9.96 since there were more deserving cases and number of vacancies are limited against which compassionate appointment could be granted."

2. The applicant is the widow of late Dakhi Lal, Mazdoor, who expired on 31.10.94 while in service. It appears that ^{after R} the death of her husband, she requested the respondents to grant compassionate appointment to her son, but the same was, ~~however~~, declined in the year 1996 itself. Thereafter, the applicant did not file



any case in the court of law and it is only when her son died in January'2002 for whom compassionate appointment was sought, that she once again applied to the respondents to grant compassionate appointment to her in place of her son.

3. I have heard the learned counsel for the applicant and find this O.A to be totally misconceived in as much as after the death of her husband in the year 1994 when she had applied for compassionate appointment in favour of her son, the same was rejected in the year 1996 itself and if she had any grievance, she should have approached the court at that relevant time within one year. However, no such effort was made by her and this fact itself shows that the financial condition of the deceased family is not so bad so as to grant them compassionate appointment. More-over the fact remains that when the request for grant of compassionate appointment to her son itself was rejected as back as in 1996, on his death no fresh cause of action can be said to have arisen in favour of the applicant to file the present O.A. The applicant has not made-out any case for interference by this court as her son's case was duly considered by the authorities, against which she had no grievance.

4. In view of the above, the O.A has no merit. The same is accordingly dismissed. No costs.



Member-J

GIRISH/-