

6

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Dated: This the 08TH day of NOVEMBER 2006.

Original Application No. 727 of 2006.

Hon'ble Mr. P.K. Chatterji, Member-A

1. Smt. Kamla Devi, W/o late Harish Chandra

2. Ravi Kumar, S/o late Harish Chandra

Both resident of Baniya Bazar Cantt.
Distt: Kanpur Nagar.

. Applicants

By Adv: Sri D.K. Dwivedi

V E R S U S

1. Union of India through Secretary,
Ministry of Defence,
NEW DELHI.

2. H.Q., M.C., I.A.F.,
NAGPUR.

3. C.G.O. (A) Civil Adm. For A.O.C.

4. 402, Air Force Station - Chakeri,
KANPUR NAGAR.

. Respondents

By Adv: Sir S. Singh

O R D E R

This OA which is with regard to the job on
Compassionate ground ~~on compassionate ground~~ has
impugned the order of the respondents dated
13.11.2002 passed by Wing Commander on behalf of AOC
in C, Indian Air Force. This order was in disposal
of the representation made to the Defence Ministry
and AOC in C is the Headquarter.

M. S. Singh

2. The learned counsel for the respondents filed their CA pointing out that this OA is not admissible on the ground of limitation, as it has been filed more than three years after the impugned order was passed.

3. In the application for delay condonation the learned counsel for the applicant has cited various reasons that the applicant was making representations one after another but no positive action was being taken. Therefore, the Tribunal should not reject the OA as not admissible on the ground of limitation.

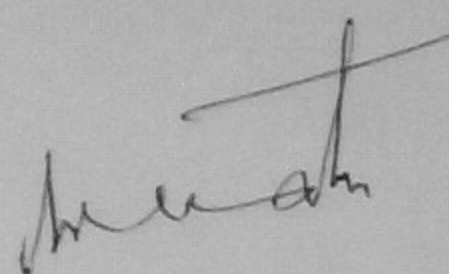
4. I have seen the short CA which has been filed by the learned counsel for the respondents and in that short CA it has been mentioned that the case of the applicant, for compassionate appointment, was considered thrice by the Committee who is ~~interested~~ ^{entrusted} with the job. But the applicant was not approved for compassionate appointment in view of the fact that he could not be selected on comparative merit for the reason that there were more deserving candidates who applied for ^{the} very limited vacancies for compassionate appointment.

5. In my view the reason adduced by the respondents is adequate. The representation of the applicant has been considered at the highest level

M. S. M. M.

⑧

i.e. by the Officers of the Defence Ministry, besides AOC in C. I am of the view that the OA is not maintainable and the same is dismissed being highly time barred and also in view of the fact that the respondents have considered the case of the applicant thrice within the parameter of the Rules and regulations. No cost.



Member (A)

/pc/