

(2)

**Open Court**

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD**

**Original Application No. 976 of 2007**

Thursday, this the **05<sup>th</sup>** day of **October** 2007

**Hon'ble Mr. K.S. Menon, Member (A)**

Kaushal Verma Son of Vijay Verma adopted son of Nirmala Devi  
Wife of Mangal Sen, Resident of Mohalla-Madara Khel Anandpuran  
Colony Near Chouhan Deri, District Shahjahanpur.

**Applicant**

**By Advocate Shri S.K. Tiwari**

**Versus**

1. Union of India through Secretary, Ministry Defence, New Delhi.
2. Chairman/Managing Director, Ordnance Factories Board, 10 A S.K. Bos road, Calcutta.
3. Additional General Director, Ordnance Clothing Factory, Saarvoday Nagar Defence Ministry India Government.
4. General Manager, Ordnance Clothing Factory, Shahjahanpur.

**Respondents**

**By Advocate Shri Saumitra Singh**

**ORDER**

**By K.S. Menon, Member (A)**

This O.A. has been filed seeking direction of this Court to the respondents to appoint the applicant on compassionate ground under respondent No.4 in place of his mother Late Nirmala Devi.

2. The applicant states that he is the adopted son of Late Nirmala Devi and one Mangal Sen. He states that late husband of Smt. Nirmala Devi, who was an employee in Ordnance Clothing Factory, Shahjahanpur died while in service. Thereafter, widow-Smt. Nirmala Devi expired on 28.07.1994. The applicant, who

*[Handwritten signature]*



was six years old at that time, filed an application claiming compassionate appointment 13 years later on 17.10.2006. The respondents had rejected his application/petition vide their order dated 26.05.2007 on the ground that compassionate appointment can be given only to one person in the same family in accordance with Rules on the subject. They had further directed him to file an appeal, if he so desired before respondent No.2. The applicant filed the appeal on 13.06.2007, which he states, is still pending.

3. It is seen that the application for compassionate appointment has been filed more than 13 years after the cause of action hence, the O.A. is belated one. Besides, the applicant who states that he is the adopted son has not produced any documentary proof in support of his claim nor he has annexed ~~to~~ the same ~~effect~~ with the O.A. I am, therefore, of the opinion that it would not be in the interest of justice to continue with this O.A. any further as the applicant has not been able to establish his legitimacy for seeking compassionate appointment. Besides the fact that he ~~has~~ <sup>is</sup> already 45 years old and submitted the application for compassionate appointment belatedly. Further, the respondents have duly considered his case and on the basis of existing instruction that compassionate appointment can be given only to one person in the same family, they have rejected his case. I am aware of the fact that his appeal is pending before the Appellate Authority but it would be a futile exercise to continue this litigation any further when it is clear that O.A. has no merit and is liable to be dismissed.

4. In view of the above discussion, the O.A. is dismissed being devoid of merit. No order as to costs.

*[Signature]*  
Member (A) 5.10.07

/M.M./