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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK

O.A. NO: 20 OF 1993

Date of decision : 13.7.93

Sri Bijay Kumar Nayak ... Applicant

-Versus-

Union of India and Others ... Respondents

(For instructions)

1. Whether it be referred to the reporters or not?
2. Whether it be circulated to all Benches  
of the Central Administrative Tribunal  
or not?

  
( K.P. ACHARYA )  
VICE-CHAIRMAN

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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO: 20 OF 1993

Date of decision: 13. 7. 93

Shri Bijay Kumar Nayak ... Applicant

-Versus-

Union of India and others ... Respondents

For the Applicant : Mr. Biswajit Mohanty-1, Advocate

For the Respondents : Mr. B.N. Mishra, Standing Counsel

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CORAM:

THE HONOURABLE MR. K.P. ACHARYA, VICE CHAIRMAN  
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J U D G M E N T

K.P. ACHARYA, V.C.

In this application under section 19 of the Administrative Tribunal Acts, 1985, the petitioner prays for an appointment on compassionate grounds;

2. Shortly stated the case of the petitioner is that Petitioner's father took voluntary retirement on 18-5-1965 from Railway service being medically incapacitated. The petitioner prays for an appointment on compassionate grounds.

3. In their counter, the Opposite Parties maintained that the case <sup>is</sup> grossly barred by limitation. The petitioner is <sup>is</sup> how over aged and the case put forward by the petitioner being devoid of merit is liable to be dismissed.

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4. I have heard Mr. Biswajit Mohanty learned counsel for the petitioner and Mr. D.N. Mishra learned Standing Counsel (Railway). The petitioner attained majority in the year 1971. Soon thereafter, the petitioner should have made an application to the competent authority for compassionate appointment. But the petitioner takes the plea that he was unaware of the circular issued by the Government of India <sup>Bill</sup> in the year 1992 with regard to the appointment on compassionate grounds. I am not prepared to believe the same. Law is well settled that the Tribunal cannot take cognizance of any cause of action said to have accrued in favour of the persons aggrieved prior to 1.11.1982. That apart the petitioner is now aged about 38 years. This is not a fit case for relaxation of the age limit. In view of the aforesaid facts and circumstances, I find no merit in this application which stands dismissed. No costs.

*[Signature]*  
13/7/93  
VICE-CHAIRMAN



Central Administrative Tribunal,  
Cuttack Bench, Cuttack/K: Mohanty./