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(A)

OA 415/95

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Serial No. of Order	Date of Order	Order with Signature	
14.3.2001		<p>Shri S.B.Das, on behalf of Shri S.K.Sahoo, the learned counsel for the applicant prays for an adjournment. Since this is a case of the year 1995, involving compassionate appointment, we are not inclined to adjourn this case. We have, therefore, heard Shri U.B. Mohapatra, the learned Addl. Standing Counsel appearing for the Respondents and also perused the records. In that process we have also taken the assistance of Shri S.B.Das.</p>	<p>order dt. 3.11.95</p> <p>Notice is held sufficient on R-2 to R-4 as per Rule 25 (c) CAT procedure R 1993.</p> <p>Counter by four weeks</p> <p>Registrar</p>
		<p>In This Original Application filed in July/95, praying for compassionate appoinment, the applicant's father died on 30.12.1973 in hearness leaving behind his widow, the present applicant, who was minor aged 7 years and a minor daughter, aged about 5 years. Respondents (Department) opposed this prayer on various grounds, one of which is limitation.</p>	<p>Counter is filed.</p> <p>Repts. have no appearance</p>
		<p>In the Original Application under Annexure-1, the widow of the deceased applied to the Department on 16.4.1993, praying for compassionate appointment for his son, the present applicant. Another application followed on 23.11.1993. There is no mention in these two representations that previously applicant's mother ^{had} applied for compassionate appointment. Even if her applications are taken to be granted, it would establish that those were filed about 9 years after the applicant attained majority, sometime in 1984. A belated claim, for compassionate appointment, under law, is discouraged.</p>	<p>Rate 4/12</p> <p>Registrar</p> <p>Order dt. 5.12.95</p> <p>Counter be filed by Three weeks</p>
		<p>This belated claim will itself imply that</p>	<p>Registrar</p> <p>Counter not filed.</p> <p>Rate 5/12</p> <p>Registrar</p>

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that the party applying for compassionate appointment has not been indigent all these years.

We are aware in the rejoinder filed on 3.5.2000, the applicant takes the plea that his mother had applied for compassionate appointment on two occasions i.e. on 12.7.1976 and 23.4.1977 by Regd. Posts. According to him, Annexure-3 of rejoinder are xerox copies of the postal receipts. These receipts by themselves would not disclose that these letters were issued at the instance of the applicant's mother, because, as earlier stated, neither under Annexure-1 nor under Annexure-2 sent in the year 1993, there has been no mention of these two letters. Even assuming the mother of the applicant had applied for compassionate appointment in the year 1976 and 1977, those applications must have been made for providing compassionate appointment in her favour, because by then the applicant had not attained majority. If these applications remained unresponded, it was her duty to knock at the doors of the Court at the earliest point of time without sleeping over the matter in anticipation of the fact that after her son attained majority, he would fight the battle in Court of Law.

In the result, in view of the belated claim, we do not see any merit in this Application which is accordingly dismissed, but without any order as to costs.

Demmatham
VICE-CHAIRMAN
14.3.201

14.3.201-
MEMBER (JUDICIAL)

Order dt. 6.12.96.

None appears. Counter be filed by the wife was as last return.

Regd.

Counter not

filed.

Pub

21/3

Bench

Counter not filed

By father order

An
9/4/97

Bench.

Order 4 may be made

Counter not filed

ad 3 to 12.1.92

A
9.1.92

Bal

Counter not

filed.

Pub

Bench

21/6