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N/S. R. B. Mohapatra  
N.R. ~~1978~~ 1979

CAT / J / II

(A)

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

## **CUTTACK BENCH, CUTTACK**

O.A./T.A./R.A.No..... 199

540

199

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Raghunath Sethi.....Applicant(s)

Union of India & ors. Versus Respondent(s)

Serial No. of Order	Date of Order	Order with Signature
..1	22.8.96	<p>It is stated that the widow did not know about the rules and therefore had not applied by that time. She waited for her son to attain majority. The applicant obtained the Caste Certificate from Mahasildar as per Annexure-A/3 dated 21.1.1992. There was a representation on 18.12.1987 (Annexure-A/4). There was no response to this representation. There was a further representation on 27.3.1988. This was rejected by Annexure-5 dated 12th May, 1988.</p> <p>I have given my anxious consideration to the arguments advanced by the learned counsel for the applicant Shri R.B.Mohapatra, who stated that the lady was not familiar with the rules governing compassionate appointment and he alleged that the office was also not helpful to hear this case.</p> <p>It is now decided that a case for compassionate appointment should be considered immediately after the death of the deceased. If indigence of the family is established, then succour must be immediate. This is a case which is two and half decades old. On that count alone the claim for compassionate appointment has been rightly rejected. Secondly Annexure-5 is the official rejection dated 12.5.1988 for a case of compassionate appointment to the son of deceased Giridhari Sethi. The cause of action arose on 12.5.1988. There was no need to make further representation and this later representation has not in any way effectively advanced the available remedy. The application suffers from laches and is hit the limitation provisions under Section 21 of the C.A.T. Act, 1985. It is dismissed in limine.</p> <p><i>Manohar</i> MEMBER (ADMINISTRATIVE)</p> <p><i>Order no 2, D. 22.8.96</i></p> <p><i>22/8/96</i></p> <p><i>Copy of Order dt. 22.8.96 alongwith the order may be sent to all of by Regd. post/A.D.</i></p> <p><i>22/8/96</i></p> <p><i>Member S.O. 96</i></p> <p><i>Received Copy of order 22/8/96 on behalf of Mr. Ashok Mitra for panel counsel Smt. Asha for A 30/8/96</i></p>