

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

OA. 1190 of 1996

Date of Order: 18-02-98.

Present: Hon'ble Mr. Justice S.N.Mallick, Vice-Chairman.
Hon'ble Mr. S.Dasgupta, Administrative Member.

PIJUSH KANTI DAS

-VS-

UNION OF INDIA & ORS.

For the petitioner: Mr.A.Chakraborty, counsel.
For the respondents: Mr.P.Chatterjee, counsel.

Heard on: 18-02-98.

O R D E R

S.Dasgupta, AM

1. Through this application, the applicant has prayed for a direction to the respondents to give him appointment on compassionate ground.
2. When the case came up for admission of the application, we have heard the 1st.counsel appearing for both the parties and perused the pleadings in the application as well as in the reply.
3. The applicant's case is that at the time of the death of his father, who was an employee of the Indian Railways, he was only 9 years old. Later, on attaining the age of majority he had submitted a representation for compassionate appointment on 7.11.81 but no reply was received. It is stated that subsequently, he was granted the pensionary benefits on 31.12.95 and he submitted another representation on 22.11.95 for compassionate appointment. However, not receiving any positive response from the respondents, he had approached this Tribunal.
4. In the reply furnished by the respondents, it was

specifically stated that the ~~xxpands~~ representation of the applicant stated to have been submitted in 1981 was never received by the respondents and the subsequent representation in November, 1955 was considered by the respondents but it was not found to be a fit case for compassionate employment. It, however, appears that the said decision was not communicated to the applicant.

5. We have carefully considered the averments made by the applicant in the instant application and we are not satisfied from the submissions that the family left behind by the applicant's father is in such financial distress as would require immediate appointment of his son on compassionate ground. In any case, the death had occurred as far back in 1973 and the family of the deceased has survived all these years even without such assistance.

6. Accordingly, we find no merit in this application and the same is dismissed. However, the respondents, in all fairness, may communicate their decision to the applicant taken in response to his representation dated 22.11.95. No costs.


(S. Dasgupta)
Member(A)


(S.N. Mallick)
Vice-Chairman.