

OPEN ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH.

No. O.A. 942 of 1997.

Present : Hon'ble DR. B. C. Sarma, Member (A)  
Hon'ble Mr. D. Purkayastha, Member (J)

RAJENDRA RAJBANSKI

vs.

1. Union of India, through the General Manager, E. Rly., Fairlie Place, Calcutta - 1.
2. General Manager, E. Rly., Fairlie Place, Calcutta - 1.
3. Divisional Railway Manager, E. Rly., Howrah.
4. Permanent Way Inspector, Pandua, Hooghly.

Respondents.

For applicant : Mr. N. Das, counsel.

for respondents : Mr. P.K.Arora, counsel.

heard on : 19.9.97 :: ordered on : 19.9.97.

O R D E R

B.C.Sarma, AM

The dispute raised in this application is about the grant of compassionate appointment to the applicant. The applicant contends that his father was a Gangman and he died in harness on 3.6.77 leaving behind two sons, namely the applicant himself and his younger brother. The mother of the applicant had died before the death of his father. The applicant was a minor at the time of the death of his father and he attained majority in 1984. Thereafter, the first representation for the grant of compassionate appointment was submitted to the authorities concerned in November, 1984. No favourable response was forthcoming from the authorities and the applicant went on representing to the authorities concerned. Ultimately, the impugned order dated 6.6.94 was passed, as set out at page 16 of the application, wherein it has been stated that it is a long time barred case and, therefore, no such appointment can be given. Being aggrieved thereby, the instant application has been filed with the prayer mentioned hereinabove.

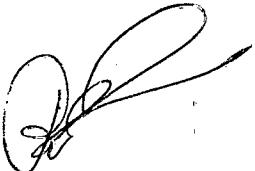
2. Mr. P.K.Arora, 1d. counsel, appears for the respondents and strongly opposes the application. According to him, this application is hopelessly time barred and it is totally devoid of merit.

3. We have heard the 1d. counsel for both the parties and perused records. We find that the death had occurred in this case as early as in 1977 and the wife of the deceased railway employee had pre-deceased. The scheme of grant of compassionate appointment was taken up by the government to give financial support to the wife and minor children of the deceased railway/government employee in order to ensure that they are not put to any utter financial distress. It appears in this case, the very purpose of the scheme is not there. There is no explanation forthcoming from the applicant as to why he has waited so long to file this application before this Tribunal specially when he has submitted his representation for grant of compassionate appointment in 1984 itself. Even the impugned order was passed in 1984 and he has filed this application only on 18.8.97. No prayer has been made even for condonation of delay. We are, therefore, of the view that this application is totally devoid of merit since the very purpose of grant of compassionate appointment does not exist here. Moreover, the it is a stale claim and the application is hopelessly barred by limitation.

4. Accordingly, the application is dismissed, at the stage of admission itself, without passing any order as to costs.

  
(D. Purkayastha)

MEMBER (J)

  
(B. C. Sarma )

MEMBER (A)