

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.NO.53/2001

Friday this the 12th day of January, 2001

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

V.Yesodha C/o Smt. Perichikutty
Thachirackal Thazhath House,
PO Morikkara, Via. Kakkodi,
Kozhikode District. ...Applicant

(By Advocate Mr.P.P.Jnanasekharan)

V.

1. Union of India, represented by
the Secretary, Department of
Personnel & Administrative Reforms
Ministry of Home Affairs,
New Delhi.
2. The Administrator,
Union Territory of Lakshadweep,
Kavaratti.
3. The Deputy Director of Medical
and Health Services,
Union Territory of Lakshadweep,
Kavaratti. ...Respondents

(By Advocate Mr. S.Radhakrishnan (rep.) for R.2&3)

The application having been heard on 12.1.2001, the Tribunal
on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant who was born on 1.10.1960 is the daughter of K.Devaky who while serving as Maternity Assistant under the third respondent died on 2.12.64. Since her husband got remarried the applicant was getting family pension from 1974 and was taken care of by her grandmother. She managed her studies and became a graudate. Alleging that her requests for compassionate appointment from the day she became a major did not yield any result, the applicant has filed this application for a direction to the respondents to give her employment on compassionate grounds as she is in indigent circumstances.

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2. After perusing the application and the other materials on record and on hearing the learned counsel for the applicant, we do not find any reason to entertain this application. The scheme for compassionate appointment was evolved with the laudable objective of making the members of family of government servants survive the indigence to which they are unexpectedly thrown into on account of sudden demise of the bread winner. The idea is to give immediate assistance. In this case on the death of applicant's mother at her tender age she was taken care of, according to her, by her grand mother. She was given education and she became a graduate. Now she claims that she is living as a nurse cum maid servant. The applicant was with effect from the year 1974 in receipt of family pension. If this was not sufficient and if she was in urgent need of employment assistance, the applicant would have taken recourse to legal remedies well in time after she attained the age of majority finding that her requests were not being responded to. Having not done that when the applicant herself is more than 40 years old, she does not have a valid or subsisting claim for compassionate appointment. The application is, therefore, rejected under Section 19(3) of the Administrative Tribunals Act.

Dated the 12th day of January, 2001


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

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