

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 1 of 1992
T. A. No.

DATE OF DECISION 23-1-1992

P Narayanan Applicant (s)

Mr G Sasidharan Chempazhanthi Advocate for the Applicant (s)

Versus

Dy. Supdt. of Salt, Respondent (s)
Nagercoil Circle, Nagercoil & 4 others

Mr George Joseph, ACGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. SP MUKERJI, VICE CHAIRMAN

&

The Hon'ble Mr. AV HARIDASAN, JUDICIAL MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. To be circulated to all Benches of the Tribunal?

JUDGEMENT

(Hon'ble Shri SP Mukerji, V.C.)

Since the learned counsel for the respondents have not yet ~~been~~ ^{with the consent of} filed a reply to this application, we ~~heard~~ ^{heard} the learned counsel for the parties ~~and~~ ^{and} proceeded to dispose of the application as follows:

2. The applicant in this application dated 13.12.1991 has prayed that the respondents be directed to consider him for compassionate appointment. The claim of the applicant for compassionate appointment flows from the fact that his father ^{who} was working as selection grade Sepoy under the first respondent, the Deputy Superintendent of Salt, Nagercoil died in harness in 1980, ~~leaving~~ ^{leaving} the widow and 3 daughters and 2 sons

including the applicant, who is now 37 years of old. The younger son is at present 27 years of old. The applicant with the consent of his other brother~~s~~ and sisters, for the first time applied for compassionate appointment on 13.10.1982. Thereafter according to him, he has been sending reminders without any effect, hence this application.

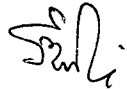
3. We have heard the learned counsel for the parties and gone through the documents carefully. The scheme for compassionate appointment as the name implies, is to provide immediate assistance to the family of deceased employee so that the family is saved from distress and destitution. The Hon'ble Supreme Court also has held that compassionate appointment needs immediate attention. The fact that the applicant has come up to this forum ~~after~~ ^{after} a decade / the death of his father and the fact that at the time of the death, he was 27 years of old gives the lie to the merits of the case to be considered on grounds of compassion. The learned counsel for the applicant ~~stated~~ ^{stated} that the applicant has been sending reminders but because of ignorance he did not approach any legal forum. Be that as it may, the fact that the family could survive without any assistance for more than 10 years show that the need for immediate assistance was not very pressing. Even the younger son of the family is now 27 years old and must be about 17 years old at the time of the death of the father. All the three sisters of the applicant are also more than 30 years old

and are married.

4. In the circumstances, we see no merit in the application which is rejected under Section 19(3) of the Administrative Tribunals Act.



(AV HARIDASAN)
JUDICIAL MEMBER



(SP MUKERJI)
VICE CHAIRMAN

23-1-1992

trs