

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No. 281 of 1994

Friday this the 23rd day of December, 1994

CORAM

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR. S.P. BISWAS, ADMINISTRATIVE MEMBER

S.Suresh, Puthuval House,
Near Pallithura Bridge, Nehru Junction,
Kazhakuttom PO,
Thiruvananthapuram.

.... Applicant

(By Advocate Mr. N.Nandakumara Menon)

Vs.

1. The Union of India, represented by the Secretary, Department of Space, Government of India, Bangalore-94.
2. The Vikram Sarabhai Space Centre, (VSSC), represented by its Director, ISRO, PO, Thiruvananthapuram.
3. The Indian Space Research Organisation, represented by its Chairman, Anthareeksha Bhavan, New Bel Road, Bangalore-94. Respondents

(By Advocate Mr. C.N.Radhakrishnan, Standing Counsel for VSSC)

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant seeks a direction to appoint him under respondents, in a suitable post. It is alleged that land belonging to his family was acquired for purposes of respondents. At that time an assurance is said to have been extended to evictees to the effect that they or their legal heirs would be given employment under respondents subject to certain conditions.

2. To our mind this arrangement is no more than an arrangement made on compassionate considerations. It

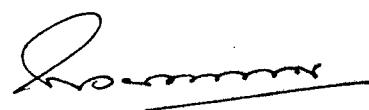
confers no legal right. In matters of employment under the state, undue preferment or monopoly cannot be created in favour of a class of persons.

3. Back to the facts of the case, it is seen from the reply affidavit and also from the pleadings in the Original Application that members belonging to the family of applicant had been appointed under respondents. Paragraph 3 of the reply affidavit mentions that the mother of applicant is one among the 19 members of the family evicted from Survey No.2802/1 (Village not named). Paragraph 6 of the reply affidavit states further that more than one member of the family which was in possession of Survey No.2802/1 had been granted employment under respondents. This statement stands uncontroverted.

4. Even assuming for argument sake, that a member of the family is entitled to be appointed under the compassionate scheme, since appointments have already been made, applicant cannot enforce a right in the nature of hereditary right.

5. Application is without merit and it is dismissed. Parties will suffer their costs.

Dated 23rd December, 1994.



S.P. BISWAS
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN