

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

Original Application No.439/2003.

this, the day of 10th November 2003.

HON'BLE MR. S.P. ARYA, MEMBER (A).

Amit Mohan, aged about 40 years, son of Late Vishwa Mohan Srivastava, resident of 5/51, Vinay Khand, Gomti Nagar, Lucknow.

... Applicant.

By Advocate:- Sri R.C. Singh.

Versus.

Kendriya Vidyalaya Sangathan, 18-Institution Area, Shaheed Jeet Singh Marg, New Delhi-110016, through the Commissioner.

2. Senior Administrative Officer(Estt.), Kendriya Vidyalaya Sangathan, 18-Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110016.

3. Assistant Commissioner, Kendriya Sangathan, Regional Office, Bhopal (M.P.).

4. The Principal, Kendriya Vidyalaya, Talbehat, District Jhansi (U.P.).

... Respondents.

By Advocate:- Sri M.G.Misra.

O R D E R

As per Shri S.P. Arya, Member (A).

The applicant by this O.A. has sought for setting aside the orders dated 23.10.2002 and 16.12.2002 of the respondents, informing him that his request of compassionate appointment has not been considered.

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2. Tha applicant's father died while in service in the Kendriya Vidyalaya Sangathan working as Principal, Kendriya Vidyalaya, Telbehath, Jhansi. The applicant has made an application for compassionate appointment. The discrepancies were removed by the applicant and now his application has been rejected.

3. I have heard counsel for both the parties and perused the records. The application itself shows that wife of the deceased employee is serving in U.P. Government. The father of the applicant had died on 12.7.1982. The compassionate appointment cannot be claimed as a matter of right. Such appointments are made keeping indigent condition of the family. Five years have already passed. The family including his wife would have been taken care of the wife who was in U.P. Government service. The question of financial difficulty did not arise in this case. It is stated in the orders that there is no vacancies in Group-'C' and Group-'D' posts. In absence of any vacancy no such appointment can be made. Moreover, the family survived well for 21 years and the applicant has no right to get compassionate appointment after 21 years. The applicant ^{has} ~~is~~ therefore not ^{been} able to make-out a prima-facie case for his appointment. The O.A. is accordingly dismissed. No order as to costs.


MEMBER (A).