

Central Administrative Tribunal Lucknow Bench Lucknow

(15)

Original Application No. 350 /2005
This, the 7th day of January 2008

Hon'ble Mr. Shankar Raju, Member (J)

Anand, S/o Late Sri Gatto, R/o Beldari Lane, Mintu Khan Ki Sarai, Hazratganj, Lucknow-226001.

Applicant.

By Advocate: None

Versus

1. Union of India, through Secretary, Ministry of Defence New Delhi.
2. Director General, Armed Forces Medical Services, Army Head Quarters, (M) Block, New Delhi.
3. Commandant, Armed Forces Medical Stores Department, Lucknow
4. Adm. Officer (Civil) Armed Forces Medical Stores Depot. Lucknow.

Respondents.

By Advocate: None

Order (Oral)

By Hon'ble Mr. Shankar Raju, Member (J)

M.A. for condonation of delay on justifiable reasons and to impart substantial Justice is allowed.

The claim of the applicant for compassionate appointment was turned down by respondents on 26.10.2004, is the grievance of the applicant. A request has been considered in pursuance of the directions in O.A. 281/2003, has been turned down on the ground that whereas the time limit for consideration is three years from the date of death of Govt. servants. As applicant's case was not considered on 23.9.2003, the time limit when adhered to applicant is not entitled for consideration. The overwhelming evidence on record clearly shows that in 2002, the claim of applicant was considered and vetted by the JCM. Accordingly adherence to the time limit when a clear cut directions was issued in O.A. No. 281/2003 has ruled out the time limit and thereafter a consideration has been ordered. The aforesaid consideration only on the technical plea of time limit would not be conducive to the very object of compassionate appointment which is to redress the family from financial crisis. In

the light of the above, the O.A. is disposed of with a direction to the respondents to reconsider the case of the applicant for compassionate appointments without adhering to the time limit in compliance of the earlier directions within two months from the date of receipt of copy of this order. No costs.

S. Raju
(Shankar Raju)
Member (J)

HLS/