

## CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH, PATNAOA No.584 of 2003

Date of order : 8th September, 2005

C O R A M

Hon'ble Mr. Mantreshwar Jha, Member [ Administrative ]  
Hon'ble Ms. Sadhna Srivastava, Member [ Judicial ]

Ganesh Giri ..... Applicant

Vrs.

Union of India & Ors. ..... Respondents

Counsel for the applicant : Shri R.B.Verma.

Counsel for the respondents : Shri A.A.Khan, SC

O R D E R

By Mantreshwar Jha, Member[A] :-

Heard the learned counsel for the applicant who has also filed M.A. No.453 of 2005 for condonation of delay in filing the instant O.A. The case of the applicant is that his father was working as Khalasi Helper at Siliguri and he died in harness on 21.10.1994. Thereafter, his mother applied for compassionate appointment of his son. However, the respondents by letter dated 4.6.1997 [Annexure-3] informed his mother that as soon as the



applicant would attain~~ed~~ majority on 1.1.1999, he may apply for compassionate appointment after attaining majority on that date. The contention of the applicant is that after attaining majority on 1.1.1999, he applied for his appointment on compassionate ground. However, no copy of such application has been placed on record. The learned counsel for the applicant submits that after he filed his application, the concerned respondents got the educational qualification verified from the concerned Head Master of the school but the same is also not placed on record.

2. The applicant has come to this Tribunal now in the year 2005 by filing this application on 20.7.2005 even though the cause of action arose in the year 1999. The ld. counsel for the respondents, therefore, submits that this application should not be entertained as it is time barred. In any case, compassionate appointment is a measure to help the dependents of the deceased as early as possible after the death of the concerned employee. In the present case, the applicant even after becoming major in 1999 and as per his submissions, he remained silent for six long years which is not plausible explanation given in the M.A. 453 of 2005 which has been filed for condonation of delay in filing the present O.A.



3.

representations are disposed of.

5. The O.A. stands disposed of accordingly with no order as to cost.

  
[ SADHNA SRIVASTAVA ] M[J]

  
[ MANTRESHWAR JHA ] M[A]

MPS.