CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 322 of 1999.

Dated this Tuesday, the 20th day of February, 2001.

CORAM : Hon'ble Shri Justice Ashok Agarwal, Chairman.

Hon'ble Shri B. N. Bahadur, Member (A).

1. Smt. Rekha Sanjay Mali,
Widow of Late Shri Sanjay
Nivrutti Mali.

2. Shri Raju Nivrutti Mali,
Brother of Late Shri Sanjay
Nivrutti Mali.

Both the Applicants are
Residing at -
Aringale Mala, Eklahare Road,
Nasik Road. ... Applicants.

(By Advocate Shri D. V. Gangal)

VERSUS

1. The Union of India through
The Secretary,
Ministry of Finance,
New Delhi.

2. The General Manager,
India Security Press,
Nasik Road,
Nasik - 422 101.

3. The General Secretary,
India Security Press
Mazdoor Sangh,
India Security Press,
Nasik Road - 422 101. ... Respondents.

(By Advocate Shri V. S. Masurkar)

O R D E R (ORAL)

PER : Shri Ashok Agarwal, Chairman.

By the present O.A., Applicant No. 2 seeks compassionate appointment. He is the brother of the deceased employee who died

... 2

in harness on 20.06.1992. He, in the circumstances, on 04.05.1993 applied for compassionate appointment. However, no reply has been received by the Applicants against the aforesaid application. The present O.A. is filed on 23.03.1999.

2. Present O.A., we find, is hopelessly barred by limitation. In the Miscellaneous Application for condonation of delay, it is inter-alia contended that in respect of similar applications made by candidates similarly placed, orders of compassionate appointment were belatedly passed in their favour. A prayer is accordingly made for condonation of delay. In our view, the aforesaid grant can be no ground for making prayer for condonation of delay. There is no limitation laid down for the department to grant reliefs. However, the Administrative Tribunals Act provides for a period of limitation for filing applications for seeking reliefs under the Act. Merely because reliefs have been belatedly granted in certain other cases, this can be no justification for the Applicant not to approach the Tribunal within the time stipulated. It cannot be overlooked that the death of the relative of the Applicant No. 2 was way back on 20.06.1992 and we are already in the year 2001. No case for grant of compassionate appointment can be said to have been made out at this belated stage.

...3

3. In the circumstances, the Miscellaneous Application for condonation of delay is rejected. Similarly, the present O.A. is also dismissed. No order as to costs.

(B. N. BAHADUR)
MEMBER (A).

(ASHOK AGARWAL)
CHAIRMAN.

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