

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: **943/93**

Transfer Application No:

DATE OF DECISION: **20.6.1994**

Shri Gorakh Chindhu Kalokhe Petitioner

None Advocate for the Petitioners

Versus

Union of India & Ors. Respondent

Shri R.K.Shetty Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri **B.S.Hegde**, Member (J)

The Hon'ble Shri

1. To be referred to the Reporter or not ? *Ans*
2. Whether it needs to be circulated to other Benches of the Tribunal ? *Ans*

B.S.Hegde
(B.S.HEGDE)
MEMBER (J)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

OA. NO. 943/93

SHRI Gorakh Chindhu Kalokhe ... Applicant
V/S.

Union of India & Ors. ... Respondents

CORAM: Hon'ble Member (J) Shri B.S.Hegde

Appearance

None for the Applicant

Shri R.K.Shetty
Advocate
for the Respondents

ORAL JUDGEMENT

Dated: 20.6.1994

(PER: B.S.Hegde, Member (J))

Perused the records of the OA. It is seen that the applicant's father was employed as a Mazdoor in the Ordnance Depot, Talegaon Dabhade who died in harness while in service on 15.7.1980 leaving him, his mother and four children.

2. The applicant as on 10.1.1981 was aged 23 years and the request for appointment was turned down as early as 2.4.1987 despite the same, the applicant has filed this OA. on 8.9.1993 seeking compassionate appointment once again.

3. In the circumstances the applicant is not only over-aged to consider for any appointment besides it is well settled that compassionate appointment is to be given on urgent basis not after the lapse of 10 years in view of the ratio laid down in JT 1994 (3) S.C. 525, the Supreme Court has observed that :-

" Unmindful of this legal position, some Governments and public authorities have been offering compassionate employment sometimes as a matter of course irrespective of the financial condition of the family of the deceased and sometimes even in posts above Class III and IV. That is legally impermissible.

The whole object of granting compassionate employment is thus to enable the family to tide over the sudden crisis. The object is not to give a member of such family a post much less a post for post held by the deceased."

4. In the instant case the applicant is seeking an appointment after a lapse of 14 years without any basis. In the light of the above, there is no merit in the OA. The OA stands dismissed at the admission stage itself.


(B.S. HEGDE)
MEMBER (J)

mr j.