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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

ORIGINAL APPLICATION 319/96

dt. 23-4-96

L. Venkata Rao

: Applicant

versus

1. Union of India, rep. by its
Secretary, Min. of Defence
New Delhi

2. Engineer in Chief
Army Headquarters
DHQ Post, New Delhi-11

3. Chief Engineer
Southern Command, MES
Pune

4. Chief Engineer (Navy)
Station Road, Visakhapatnam

5. Commander Works Engineer
Station Road, Visakhapatnam

: Respondents.

Counsel for the applicant

: P.B. Vijayakumar, Advocate

Counsel for the respondents

: V. Rajeswara Rao, Addl CGSC

CORAM

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

Judgement

Oral Order (per Hon. Mr. R. Rangarajan, Member (Admn))

None for the applicant. Sri V. Rajeswara Rao for the respondents, is present.

2. The applicant is the third son of one Sri Narasimha Murthy, who died in harness on 12-4-1984. When he was working as cabinet marker under Respondent No.5. It is

..2.

stated in the reply that the wife of the deceased applied for compassionate ground appointment by her representation dated 28-4-1994. It is also seen from Annexure A-2, ^{Her} she applied for compassionate ground appointment for her third son by her representation dated 4-5-1995. By impugned letter vide A-1 dated 26-8-95 her request for compassionate ground appointment to her third son was rejected. Aggrieved by the above, he has filed this OA ~~for~~ setting aside the impugned proceedings of 26-8-95 and for a consequential direction to the respondents to provide suitable appointment on compassionate ground on permanent basis.

3. It is seen from the OA that the applicant is the third son of the deceased and two ^{of} his elder brothers were employed and two of his sisters were already married. Hence, he has got only ^{his} ~~no~~ dependent mother. The OA does not indicate any details in regard to the ~~financial position~~ of the family at the time of the death of his father.

4. The respondents in their reply stated that two of his brothers were already employed and two of his sisters were already married. The family got a terminal benefit of Rs.30,000 besides family pension. The respondents further state that the applicant's father died in the year 1984 and the wife of the deceased applied for compassionate ground appointment only in 1992. Thus the case is a belated one.

5. After perusal of the reply it is seen that the applicant is not placed in indigent circumstances warranting compassionate ground appointment. Since he has to look after ~~xxxxxxx family xxxxxx~~ only his



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mother if at all he has to look after any body and the family is getting family pension in addition to the terminal benefits of Rs.30,000 received after the death of the applicant's father, the case is not sustainable for grant of compassionate ground appointment on the basis of the financial status.

6. Further, it is also seen that the applicant had not approached the authorities well in time immediately after the death of his father. The compassionate ground appointment is meant for providing succour to the family which is in distress due to the death of the bread-winner. When the applicant has not taken any action to approach the respondents for compassionate ground appointment in time, it goes to prove that there is no ~~distress~~ ^{distress} ~~disasterous~~ condition warranting compassionate ground appointment.

7. In view of what is stated above, the applicant has not made out case for grant of compassionate ground appointment. Hence, this DA is dismissed for want of merit. No costs.

[Signature]

(R. Rangarajan)
Member (Admn.)

Dated : April 23, 96
Dictated in Open Court

[Signature]
8/5/96
Dnb.

sk

Copy to:-

1. The Secretary, Ministry of Defence, Union of India, New Delhi.
2. Engineer in Chief, Army Headquarters, DHQ PO, New Delhi-11.
3. Chief Engineer, Southern Command, MES, Pune.
4. Chief Engineer(Navy) Station road, Visakhapatnam.
5. Commander Works Engineer, Station road, Visakhapatnam.
6. One copy to Sri. P.B.Vijaya kumar, advocate, CAT, Hyd.
7. One copy to Sri. V.Rajeswara Rao, Addl. CGSC, CAT, Hyd.
8. One copy to Library, CAT, Hyd.
9. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

DATED: 23/4/96

ORDER/JUDGEMENT

M.A. NO/R.A/C.A. No.

B.A. NO.

IN

3/9/91

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDERS AS TO COSTS

No spare copy

