

(19)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

\*\*\*

O.A. 475/97.

Dt. of Decision : 24-04-97.

G. Murali

.. Applicant.

Vs

1. The Director,  
Defence Metallurgical Research  
Laboratory, P.O:Kanchanbagh,  
Hyderabad-500 258.

2. The Government of India,  
Min. of Defence, Research and  
Development Organisation,  
New Delhi  
represented by its Secretary.

.. Respondents.

Counsel for the applicant : Mr.G.Vidyasagar

Counsel for the respondents : Mr.N.R.DEVARAJ, Sr.CGSC.

CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

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ORDER

Heard Mr.G.Vidyasagar, learned counsel for the applicant and Mr.Satyanarayana for Mr.N.R.Devaraj, learned counsel for the respondents.

2. The applicant in this OA is the son of one Late Sri G.Sreeramulu.He died while he was working as a Junior Scientific Assistant Grade-II in D.M.R.L. on 3-4-75. The applicant states that he was only 2 years old at the time of his father's death. Immediately after he attained majority he applied for compassionate ground appointment. The case of the applicant for compassionate ground appointment was sent to the R&D Headquarters, New Delhi and the R&D Headquarters rejected his case by the impugned order No.DMRL/E/B/COMP/094 dated 20-02-97 (Annexure-V). The reason given in the impugned order is extracted below:-

"The case of Shri G MURALI (son of late Shri G. Sreeramulu, JSA II) for his employment on compassionate grounds has been examined. It is seen from the information furnished by the family that the family has been managing some how for the last 18 years. As such the case is not covered under the existing instructions issued by the government."

3. This OA is filed challenging the impugned order and for a consequential direction to appoint him and ~~for praying for a consequential direction to appoint him~~ under the respondents organisation. *against Compassionate ground rule.*

4. The learned counsel for the applicant was asked whether applicant's ~~xxx~~ wife applied for the compassionate ground appointment if she ~~was~~ <sup>in</sup> need for a financial assistance at the time of death of her husband. The learned counsel for the applicant submitted that she <sup>an</sup> is an uneducated lady and she did not apply. However he further stated her son asked for compassionate ground appointment (who was then two years old) when he attained majority. The family survived till now, 22 years after the death of the earning member. This itself goes to prove <sup>that</sup> at the time of the death of the employee there were no

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financial need to provide compassionate ground appointment. Even presuming that there were ~~any~~ need the wife of the deceased should have asked for compassionate ground appointment for her. She did not do that even. After a lapse of 22 years the son approaches this Tribunal for a direction to the respondents to appoint him on compassionate ground appointment. This is ~~not~~ only a misuse of privilege given to the deceased employee. I am fully convinced that this case is a belated one and is not worth consideration. I fully agree <sup>with</sup> / for the reasons given by the respondents in the impugned order for rejection of the request of compassionate ground appointment.

5. In the result, the OA is dismissed for want of merits at the admission stage itself. No costs.



(R. RANGARAJAN)  
MEMBER (ADMN.)

Dated : The 24th April 1997.  
(Dictated in the Open Court)

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*Handwritten:* 11/5/97  
D-R(S) 1-1

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Copy to:

1. The Director, Defence Metallurgical Research Laboratory,  
P.O.Kanchanbagh, Hyderabad.
2. The Secretary, Min. of Defence, Research and Development  
Organisation, New Delhi.
3. One copy to Mr. G. Vidyadagar, Advocate, CAT, Hyderabad.
4. One copy to Mr. N. R. De-raj, Sr. CGSC, CAT, Hyderabad.
5. One copy to D. R. (A), CAT, Hyderabad.
6. One duplicate copy.

YLKR

9/6/97  
TYPED BY  
COMPARED BY

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CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

AND

THE HON'BLE SHRI B. S. JAI PARAMESHWAR:  
M(J)

DATED: 24/4/97

ORDER/JUDGEMENT

R.A/C.P/M.A.No.

in  
C.A.No. 475/97

ADMITTED INTERIM DIRECTIONS ISSUED  
ALLOWED  
DISPOSED OF WITH DIRECTIONS  
DISMISSED  
DISMISSED AS WITHDRAWN  
ORDERED/REJECTED  
NO ORDER AS TO COSTS

YLKR

II COURT

