

25

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD

O.A. No. 626/97.

Date: June 3, 1997.

Between:

Y.Kartikeya. Applicant.

and

1. The Senior Divisional Personnel Officer, South Central Railway, Guntakal, Ananthapur District.
2. The General Manager, Southern Railways, Madras, Tamilnadu. ... Respondents.

Counsel for the applicant: Sri T.Lakshminarayana.

Counsel for the respondents: Sri C.V.Malla Reddy.

JUDGMENT

(by Hon'ble Shri H. Rajendra Prasad, Member (A). J.S.)

...

Heard Sri T.Lakshminarayana for the applicant and Sri C.V.Malla Reddy, Standing counsel for the respondents.

The applicant's father passed away in the beginning of 1965 when the applicant was merely six years of age. The averment that the applicant's mother applied for a compassionate appointment for her in the year, 1966, followed by occasional reminders, is of no relevance to the present case since she is not the applicant in this O.A.. The applicant attained majority in 1979 and one more representation is stated to have been submitted to the respondents in the year, 1980.

The grievance of the applicant is that he has not been offered a suitable appointment on compassionate grounds.

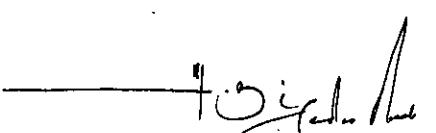
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The case is hopelessly time-barred.

The scheme for compassionate appointments is designed primarily to alleviate the distress caused to a bereaved family on account of the demise of the bread-earner, provided that the family is known and proved to be in utterly indigent circumstances. In the present instance, 32 years have elapsed since the death of the applicant's father, ^{and} eight years after the attainment of majority by the applicant. Thus I find no reason or acceptable ground why the special discretion vested in the General Manager for reopening a case much older and beyond the mandatory period of five years should be invoked in the applicant's favour. There is no merit in the application.

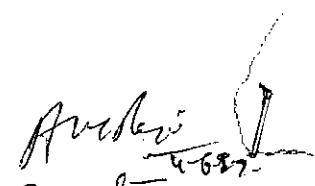
The O.A. is, therefore, dismissed at the admission stage. This shall, however, not preclude the authorities, if they are so inclined, from providing a job to the applicant on merits and eligibility /compassionate grounds, or from disposing of the representation of the applicant dated 3.12.1980 on facts and merits of the case and in accordance with the relevant rules.


H. RAJENDRA PRASAD,
MEMBER (A)

Date: 3-6-1997.

Dictated in open Court.

sss.


Anil
4-6-97
Deputy Registrar (D) cc

27

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O.A.626/97.

To

1. The Senior Divisional Personnel Officer,
SC Rly, Guntakal, Anantapur Dist.
2. The General Manager, Southern Railways,
Madras, Tamilnadu.
3. One copy to Mr. T.Lakshminarayana, Advocate, CAT.Hyd.
4. One copy to Mr.C.V.Malla Reddy, SC for Rlys, CAT.Hyd.
5. One copy to Hon'ble Member(A) CAT.Hyd.
6. One copy to D.R.(A) CAT.Hyd.
7. One spare copy.

pvm.

app
23/6/97

COURT

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TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE
VICE-CHAIRMAN

and

THE HON'BLE MR.H. RAJENDRA PRASAD:M(A)

Dated: 3 - 6 - 1997

ORDER/JUDGMENT

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

in

C.A.NO. 626/97

T.A.No.

(w.p.)

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm

केन्द्रीय प्रशासनिक अधिकार सभा
Central Administrative Tribunal

प्रेषण/DESPATCH

17 JUN 1997

हैदराबाद न्यायालय
HYDERABAD BENCH