

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR
BENCH, JABALPUR

Original Application No. 195 of 2006

Jabalpur, this the 6th day of April, 2006

Hon'ble Shri Justice M.A. Khan, Vice Chairman (J)
Hon'ble Dr. G.C. Srivastava, Vice Chairman (A)

Anant Kumar Patel, S/o. late Shri
Phoolchand Patel, aged 30 years, R/o.
H.No. 197/1, Ranital, near Telecom
Factory Gate No. Jabalpur, Distt.
Jabalpur. M.P.

Applicant

(By Advocate – Shri R.S. Verma)

V e r s u s

1. Union of India, through Secretary,
Department of Telecommunication,
New Delhi.
2. The Chief General Manager,
Department of Telecommunication,
Telecom Factory, Wright Town,
Jabalpur, M.P.
3. Personnel Officer, Telecom Factory,
Wright Town, Jabalpur.

Respondents

O R D E R (Oral)

By Justice M.A. Khan, Vice Chairman –

The applicant's father Shri Phoolchand Patel was working as Examiner in the Telecom Factory of the respondents. He died in harness on 17.11.1992. The applicant has submitted an application for compassionate appointment under ^{re} D^{re} in harness scheme of the respondents. His request was not accepted. The applicant approached this Tribunal and filed OA No. 177/1995. The Tribunal disposed of the OA on 7th August, 1995 with direction to the respondents that the applicant would be given an opportunity to explain whether the family has sufficient ^{re} income and owns a house or not. As per the

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averment made in the OA, the committee rejected the application of the applicant on 16.10.1995 (Annexure A-4). Now the present OA is filed with the relief that the representation filed thereafter by the applicant has not been considered and decided by the respondents. It is submitted that the last representation was made on 6.1.2006.

2. We are of the opinion that repeated representations will not extend the period of limitation. The application of the applicant was already rejected by order dated 16.10.1995 (Annexure A-4) and the present OA is filed on 27.3.2006. It is not filed within the time prescribed under Section 21 of the Administrative Tribunals Act. Moreover, almost 13 years have passed since the time of death of the father of the applicant. Compassionate appointment is not one of the modes of recruitment rather it is a deviation that all recruitment in civil service will be made from the open market. The appointment will be strictly in accordance with the scheme formulated by the Government for compassionate appointment. We find that it would not be appropriate to interfere at this stage after more than 10 years have passed since the application of the applicant was rejected by the committee of the respondents. Accordingly, the OA is dismissed.

General

(Dr. G.C. Srivastava)
Vice Chairman

Malekneem

(M.A. Khan)
Vice Chairman

"SA" पृष्ठांकन सं. ओ/न्या..... जबलपुर, दि.....
प्रतिलिपि आज़े दिन:-
(1) सचिव, उच्च अदायालय यार एक्सेसिएशन, जबलपुर
(2) आदेक श्री/प्रियांका/कु..... के काउंसल
(3) प्रस्तुती श्री/श्रीमती/कु..... के काउंसल
(4) व्यापाल, योग्या, जबलपुर व्यापारीठ
सूचना एवं आवश्यक कार्यवाही हेतु

R.S. Verma
D.V.D.B.R

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