

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,

CIRCUIT COURT SITTING AT GWALIOR

Original Application No. 341 of 2006

Gwalior, this the 19th day of May, 2006

Hon'ble Justice B. Panigrahi, Chairman

Hon'ble Dr. G.C. Srivastava, Vice Chairman

Ashok Kumar Verma,
S/o. Late Shri Bhagwan Das Verma
Gaur, aged 28 years, Unemployed,
R/o. Lakhad Khana, Khandiwala
Mohalla, Gwalior.

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Applicant

(By Advocate – Shri Anil Gupta on behalf of Shri D.P. Singh)

V e r s u s

1. The Accountant General (Audit),
Madhya Pradesh, (Through :
Accountant General (Audit)),
M.P. Jhansi Road,
Gwalior.

2. The Audit Officer,
Administration-12,
Jhansi Road, Gwalior.

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Respondents

ORDER (ORAL)

By Justice B. Panigrahi, Chairman -

Heard the learned counsel for the applicant.

2. The applicant is challenging the legality, validity and propriety of the order passed by the respondents, whereby the prayer for compassionate appointment of the applicant was rejected as back as on 9.8.2001.


3. The short history as deprecated in the application is as follows:


The father of the applicant late Bhagwan Das Verma was working under the respondents Nos. 1 & 2. He died in harness on 10.12.1999 while working in the post of Senior Accountant in the office of AG-I. The deceased Bhagwan Das Verma left behind him his widow, four sons and one unmarried daughter. After the death of Bhagwan Das Verma the deceased's

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eldest son was residing separately and did not shoulder the family of the applicant and her unmarried sister. The applicant ~~has~~ submitted a representation in the year 1999 immediately after the death of the applicant's father which was replied on 9.8.2001. He had been communicated through different letters from 9.8.2001 to 31.10.2003 by the respondents expressing their inability to accommodate the applicant's prayer for compassionate appointment. The learned counsel appearing for the applicant has submitted that since the applicant has submitted several representations expecting the respondent authorities to decide the same, he could not rush to the court challenging the orders passed by the respondents, whereby they have denied to accommodate the applicant's prayer for compassionate appointment. But we find that such grounds do not extend the period of limitation. Mere submission of several representations will not stop the period of limitation. As per the circular issued by the DOP&T the period for submitting the application for compassionate appointment is three years from the date of death of the government servant. Since the death has taken place in this case in the year 1999, and the applicant's prayer for compassionate appointment was rejected first in 9.8.2001, it is not understood as to why the applicant waited for such a long period in coming to this Tribunal. Therefore, we do not find any scope for enhancing the period of limitation to accompany the applicant's prayer for compassionate appointment.

4. Accordingly, the application is dismissed under Section 20 of the Administration Tribunals Act.


(Dr. G.C. Srivastava)
Vice Chairman


(B. Panigrahi)
Chairman

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