

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR

Original Application No. 169 of 2005

Jabalpur, this the 11th day of August, 2005

Hon'ble Shri Madan Mohan, Judicial Member

Triloki Singh, S/o. late Shri Dashrath
Prasad Lodhi, aged about 24 years,
R/o. Purani Basti, Bhumia Mohalla,
Ambedkar Ward, Ranjhi, Jabalpur (MP). Applicant

(By Advocate – Shri R.K. Jatav)

V e r s u s

1. Union of India, through its
Secretary, Ministry of Defence,
New Delhi.
2. General Manager, Grey & Iron
Foundary, Jabalpur (MP).
3. Works Manager, (Admin),
Grey & Iron Foundary,
Jabalpur (MP).
4. Labour & Welfare Officer,
Grey & Iron Foundary,
Jabalpur (MP). Respondents

(By Advocate – Shri P. Shankaran)

O R D E R (Oral)

By filing this Original Application the applicant has claimed the following main relief :

“to direct the non-applicants to provide the compassionate appointment to the applicant who fulfills all the requisite necessities for the same and has already submitted the related documents in the concern as required by them.”

2. The brief facts of the case are that the applicant's father late Dashrath Prasad Lodhi was working on the post of Turner (Skilled) in the



Grey Iron Factory, Jabalpur and died in harness on 17th September, 1997 after 19 years of his regular service. At the time of death of this father the applicant was only 16 years of age and when he attained the age of 18 years, he requested the respondents to provide him compassionate appointment. The applicant was asked by the respondents to submit certain relevant documents. He submitted all the concerned documents but he did not receive any letter from the respondents. On his repeated representations the respondents send a letter dated 29.3.2003 to the applicant asking him to appear in an interview. He appeared in the interview and did very well to his satisfaction. He waited for the result for a long time then but the respondents have not communicated anything to the applicant. Hence, this Original Application is filed.

3. Heard the learned counsel for the parties and carefully perused the pleadings and records.

4. It is argued on behalf of the applicant that the respondents have not considered the facts and circumstances of the case of the applicant properly. He has drawn my attention towards the representation dated 6th May, 2002 Annexure A-5 in which it is mentioned that his mother was under treatment from last 8 to 10 years and a huge amount of money was spent on her treatment. The applicant had borrowed money for her treatment and he has also mortgaged his house. The applicant and his brother is not getting sufficient amount of pension after the death of the deceased Government servant. The deceased Government servant was the only bread earner in the family of the applicant. The family of the applicant is facing acute financial crises. Hence, the applicant is legally entitled for the reliefs claimed.

5. In reply the learned counsel for the respondents argued that the case of the applicant was duly considered by the respondents and after considering all the facts and circumstances of the case, the application of the applicant was not found satisfactory for providing him compassionate



appointment. Hence, it was rejected and the applicant was informed vide order dated 22nd August, 2003 (Annexure A-7). The family of the applicant has received monetary benefits of Rs. 1,17,896/- and the applicant is also receiving family pension of Rs. 2654/- per month. The family of the deceased Government servant consists of only 2 sons. Hence, the family of the applicant is not facing any financial crises and thus, this Original Application is liable to be dismissed.

6. After hearing the learned counsel for the parties, and on careful perusal of the pleadings and records, I find that the applicant has not challenged the impugned order dated 22.8.2003 (Annexure A-7) and further I find that the mother of the applicant has already expired before the death of his father, as is mentioned in Annexure A-5 itself which is the representation of the applicant dated 6th May, 2002. The respondents have considered all the facts and circumstances of the case of the applicant and the sufficient amount of terminal benefits have already been paid to the applicant. The applicant is also being paid the family pension of Rs. 2654/- per month. I have perused the order dated 22.8.2003 (Annexure A-7) and I find that it is a speaking, detailed and reasoned order. Since the applicant has not challenged this order passed by the respondents, the present Original Application is not maintainable and is liable to be dismissed on this ground alone.

7. In view of the aforesaid, the Original Application is dismissed as not maintainable, with no orders as to costs.


(Madan Mohan)
Judicial Member

“SA”