

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

original Application No. 537 of 2003

Jabalpur, this the 11th day of September, 2003

Hon'ble Shri D.C. Verma, Vice Chairman (Judicial)
Hon'ble Shri Anand Kumar Bhatt, Administrative Member

Shri John Julious,
Son of Late Shri Jawala
Prasad, Aged about 21 years,
R/o. House No. 75, Lalit
Colony, Nehru Ward, Ghamapur,
Jabalpur.

... Applicant

(By Advocate - Shri P.L. Patel)

V e r s u s

1. Union of India,
Through the Secretary,
Ministry of Defence,
New Delhi.
2. Senior General Manager,
Vehicle Factory, Jabalpur,
(Madhya Pradesh).

... Respondents

O R D E R (Oral)

By D.C. Verma, Vice Chairman (Judicial) -

By this Original Application the applicant has claimed appointment on compassionate ground.

2. The brief facts of the case are that the applicant's father was working as Master Technician with the respondents died on 01.03.1993 leaving behind his widow and children, including the present applicant. The applicant made a representation for appointment on compassionate ground in the year 1996, because according to him the mother of the applicant separated herself from the family and is residing separately. The submission is that the respondents have not replied to the applicant's representation filed for appointment on compassionate ground. Hence he has come to the Tribunal for the relief claimed in the Original Application.

3. The counsel for the applicant has been heard.

4. It is noticed from the legal notice (Annexure A-5) that the applicant's mother is working in a State Government Department. So the widow is an earning member. Because of separation from his mother the applicant has felt necessary to get an appointment and he applied for the same in the year 1996. The death of the father was in the year 1993. There was no financial crises at that time. Consequently none applied for appointment on compassionate ground. It was rightly so because the widow of the applicant was an earning member and was there to maintain herself and her children. The applicant felt the necessity of employment after getting separated from his mother. He cannot claim appointment on compassionate ground after a gap of about a decade. The appointment on compassionate ground is given only to meet the immediate urgency of financial assistance to the dependants of an employee who died in harness. Such urgency cannot be taken into consideration after a gap of 10 years. The present Original Application is consequently highly barred by limitation and it is also devoid of merits. Consequently it is dismissed at admission stage itself.

Anand Kumar Bhatt
(Anand Kumar Bhatt)
Administrative Member

D.C. Verma
(D.C. Verma)
Vice Chairman (J)

"SA"

पृष्ठकन सं ओ/न्या.....जबलपुर, दि.....

पतिलिपि तामो निम्न:-

- (1) सचिव, उच्च न्यायालय और एडवोकेट जनरल
- (2) अवर सचिव/डी.पी.ओ./एड. जज, जज
- (3) प्रत्येक डी.पी.ओ./एड. जज, जज
- (4) न्यायालय, जज, उच्च न्यायालय, जबलपुर

सूचना एवं आवश्यक कार्रवाई हेतु

P. L. Patel, Secy
28/9/03

Recd
28/9/03