

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 558 of 1998

Jabalpur, this the 3rd day of April 2003.

Hon'ble Mr. R. K. Upadhyaya - Member (Admnv.)
Hon'ble Mr. A.K. Bhatnagar - Member (Judicial)

Bansi Badan Si, S/o Late Kalipada Si,
Aged about 26 years, (Dependent of
deceased employee), R/o Madai
(Near Sector I/VFJ) P.O:-Richai
Dist. Jabalpur. M.P.

- APPLICANT

(By Advocate - None)

VERSUS

Union of India, through,
The Chief General Manager,
Telecom Factory Jabalpur,
Jabalpur, M.P.

- RESPONDENTS

(By Advocate - Shri P. Shankaran for Shri S.C. Sharma)

ORDER (ORAL)

By R.K.Upadhyaya, Member (Admnv.) :

Nobody is present on behalf of the applicant, even at the second call. The relief claimed by the applicant is for compassionate appointment on the death of the applicant's father Shri Kalipada Si, who was Class-IV employee in the respondents organisation and died in harness on 22.04.1995.

2. It is claimed by the applicant that he being the second son of the deceased Government servant is entitled for the appointment on compassionate grounds on the death of his father on 22.4.1995. It is further stated that the family of the deceased Government servant consists of six members. The applicant is the second son of the deceased Government servant. It is also claimed

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that in spite of the post being vacant, the respondents have failed to provide compassionate appointment and have rejected the claim of the applicant. Therefore, this application has been filed before this Tribunal.

3. The respondents in their reply have stated that the deceased Government servant Shri Kalipada Si, father of the applicant was working in the Canteen, Telecom Factory, Jabalpur. He expired on 22.04.1995 due to long sickness. The deceased Government servant could have attained the age of superannuation on 31.03.2007. It is also stated by the respondents that the deceased Government left behind four dependents, namely, his widow, two sons and a daughter. The family of the deceased Government servant has received Rs.67,054/- as terminal benefits. The widow of the deceased Government servant is receiving family pension @ Rs.1176/- per month. The mother of the applicant had submitted an application for compassionate appointment of her younger son, i.e., Shri Banshi Badan (applicant in this case). The case for grant of compassionate appointment of her son was processed by the respondents. It was put for consideration before the High Power Committee meeting, which was held on 25.3.96 and 5.6.96. However, this High Power Committee did not find the case of the applicant suitable for being offered compassionate appointment in view of the limited number of posts and large number of applicants. It is also stated by the respondents that the applicant secured 40 marks out of 100 on the scientific method, who and nobody/ secured lower marks has been offered for compassionate appointment. The learned counsel for the respondents stated that this application being devoid of any merit deserves to be dismissed.

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4. We have heard the learned counsel for the respondents and have perused the material available on record carefully.

5. In view of the fact that the applicant's case has been considered by the High Power Committee for compassionate appointment. However, the respondents have not found the claim of the applicant suitable for compassionate appointment. Therefore, they have informed the applicant accordingly by letter dated 22.08.1996 (Annexure A-3). The applicant cannot claim compassionate appointment as a matter of right. The scheme of compassionate appointment is intended to provide immediate financial help on the death of sole bread-winner. In this case, we find that the respondents have given full details as to why the case of the applicant was not considered suitable for compassionate appointment. There is even no rejoinder to the reply, which was filed by the respondents 31.08.1998. In view of the facts of this case, we do not find any justification to interfere with the orders of the respondents. Therefore, this application is dismissed without any order as to costs.

(A.K.Bhatnagar)
Member (Judicial)

(R.K.Upadhyaya)
Member (Admn v.)

३४८	जललपुर, दिल्ली
(१)	कालांगी देवी/कल्पिता, जललपुर
(२)	कालांगी देवी/कल्पिता, जललपुर
(३)	प्राचीन, कोटी देवी/कल्पिता, जललपुर
(४)	वंशमाला, दीनांका, जललपुर, व्याधपीठ
सूचना एवं आवश्यक कार्यालयी हेतु	८८

Dr. D. T. A. (A. D. T. A.) Helle.
Shambhavi Helle. J. S. C. Shambhavi

उप अधिकारी 8/4/03

Issued
on 9/11/03
by [Signature]