

Central Administrative Tribunal
Jaipur Bench, JAIPUR

OA No.170/2011
MA 127/2011

This the 12th day of May, 2011

Hon'ble Shri Justice K.S. Rathore, Member (Judicial)

Krishna Kumar Verma S/o late Shri Jagdish Prasad Verma aged about 27 years R/o Atal Bandh Mandi, Dhau Ki Haveli Ke Pass, Suraron Ki Bagar, Bharatpur, Rajasthan,

...Applicant

(By Advocate: Shri D.C.Gupta,)

- VERSUS -

1. Union of India, through the Engineer in-chief, Army Headquarter New Delhi-110011.
2. Headquarter, Chief Engineer, Military Engineer Services, Jaipur Zone, Power House Road, Banipark, Jaipur-302006.
3. The Garrison Engineer, Military Engineer Services, Kanjoli Lines, Bharatpur-321001.

.....Respondents

ORDER (ORAL)

The present OA is filed by the applicant against the order dated 30.12.2006 (Annexure A-1) by which the claim for seeking appointment on compassionate grounds has been rejected.

2. I have perused the speaking order passed by the respondents. The bare perusal of the aforesaid order and attached Appendix 'A' reveal that claim of the applicant for appointment has been rejected being time barred as application submitted by applicant after more than three years from the death of the Government employee, whereas as per Annexure A-2 it appears that the



applicant has made representation on 27.12.2002 and father of the applicant had expired on 8.11.2002. Thus, the applicant's application for appointment on compassionate grounds is well within the time. The applicant vide its representation dated 24.12.2002(Annexure A-4) has also stated this fact that his father expired on 8.11.2002 and he filed application for appointment on compassionate grounds on 24.12.2002

3. Having considered the submissions as well as the application dated 27.12.2002 (Annexure A-2), undertaking certificate (Annexure A-3) and the representation dated 24.12.2002(Annexure A-4) submitted by mother of the applicant giving no objection to provide employment on compassionate ground to the son of the deceased and the detail of family members given in that letter, it appears that the respondents have not even cared to examine the matter meticulously and I failed to understand on what basis they have passed Annexure A-1, whereby claim of the applicant has been rejected and the same has not been considered due to time barred being submitted after more than three years from the death of the Government employee. However the applicant has represented before the respondents well within time to consider him for appointment on compassionate ground and for the time consumed to process the application, the applicant is not supposed to suffer.


4. In the circumstances, without going into the merit of the case, I deem it proper to direct the respondents to consider the application of the applicant for appointment on compassionate grounds.

5. With these observations, the OA stands disposed of.

6. MA.127/2011 seeking for condonation of delay filed by the applicant before this Tribunal and looking to the facts &



circumstances of the case, the time consumed in filing the Civil Writ Petition No. 8342/2007 before the Hon'ble High Court, which has been registered & dismissed with liberty to file an OA before the Central Administrative Tribunal as per provisions of law, is condoned. The aforesaid MA shall also stand disposed of accordingly.



(Justice K.S.Rathore)
Member (Judicial)

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