

Central Administrative Tribunal Principal Bench, New Delhi

O.A.No.100/1195/2012

Wednesday, this the 24th day of August 2016

Hon'ble Mr. P.K. Basu, Member (A)

Deepak Sharma
s/o late (Sh.) Bhup Raj Sharma
aged 32 years
r/o House No.552,
Housing Board Colony, Sector 17
Gurgaon, Haryana – 122001

.. Applicant

(Nemo)

Versus

1. Government of India
Through Secretary
Directorate General of Civil Aviation
Opposite Safdarjung Hospital
New Delhi through Director General
2. Deputy Director (Administration)
Directorate General of Civil Aviation
Opposite Safdarjung Hospital, New Delhi

..Respondents

(Mr. Rajesh Katyal, Advocate)

O R D E R (ORAL)

None for the applicant. It is seen that no one appeared for him even on the last occasion, i.e., 09.08.2016. The matter was adjourned only on the request of learned counsel for applicant on earlier three occasions, i.e., on 28.04.2016, 28.07.2016 and 02.08.2016. This is an old matter and cannot be adjourned any further. O.A. is accordingly taken up in terms of Rule 15 of CAT (Procedure) Rules, 1987. Learned counsel for respondents has been heard.

2. The facts of the present case are that the concerned government servant died on 30.07.2004. The application for compassionate appointment was filed by his son on 14.07.2008, i.e., after a period of four years. The son of the deceased was married at that time and as per the Government of India's instructions married sons are not eligible for compassionate appointment. The Department had followed thorough procedure in which 21 applications for such appointment were considered and based on grading point, suitable candidates were chosen, but being a married son and not being eligible, his case could not have been considered.

3. In support of the fact that there is no claim for compassionate appointment, learned counsel for respondents relies upon the decisions of the Hon'ble Supreme Court in **Umesh Kumar Nagpal v. State of Haryana & others**, JT 1994 (3) SC 525, **Life Insurance Corporation of India v. Mrs. Asha Ramachandra Ambedkar & others**, JT 1994 (2) SC 183, **Himachal Road Transport Corporation v. Dinesh Kumar**, JT 1996 (5) SC 319 and **Punjab National Bank & others v. Ashwani Kumar Taneja**, (2004) 7 SCC 265.

4. In view of the above, O.A. is dismissed being devoid of merit. No costs.

(P.K. Basu)
Member (A)

August 24, 2016
/sunil/