

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 100/4652/2015

This the 8th day of August, 2016

Hon'ble Shri K.N. Shrivastava, Member (A)

Neeraj
S/o Late Sh.Ram Bir Singh,
R/o Vill & Post Punjab Khor,
Delhi-110081. Applicant

(By Advocate: Shri Dhamdeep Singh)

Versus

1. The Secretary/Chairperson,
Delhi Central Electric Division No.4,
CPWD, Building,
I.P. Estate, New Delhi

2. The Executive Engineer,
Delhi Central Electric Division No.4
CPWD, Building,
I.P. Estate, New Delhi. Respondents

(By Advocate: Shri D.S.Mahendru)

ORDER(ORAL)

By Hon'ble Shri K.N.Shrivastava,M(A)

The applicant through medium of this OA is seeking compassionate appointment. The brief facts of the case are as under:

(i) The applicant's father late Shri Ram Bir Singh was working as peon under the respondent No.2. He died in harness on 08.06.1993;

(ii) The widow of Late Sh.Ram Bir Singh i.e. mother was considered for appointment for one of the three posts namely, Mali, Beldar and Khalasi vide letter dated 13.7.1993 (Annexure A-3 Colly)

2. It is averred in the OA that mother of the applicant, i.e. widow of late Sh.Ram Bir Singh expressed her inability to take up the job in the view of the fact that she had to look after her five minor children, four daughters and one son (applicant). It is also seen from the affidavit of Smt. Geeta Devi (Annexure A-1) that at the time of the death of Sh.Ram Bir Singh, the applicant was just three years old.

3. Arguments of learned counsel for the parties was heard. As could be seen from the records, the applicant's mother Smt. Geeta Devi was indeed considered for compassionate appointment by the respondents way back in the years 1993 itself. She however, expressed her inability to take up the job in view of her responsibility to look after her five minor children including the present applicant. Smt. Geeta Devi is not made a party in this OA. There is no mention about the four sisters of the applicant in this OA who are admittedly elder to him. It is also not explained by the applicant as to why he could not apply for the compassionate appointment immediately on attaining age of 18 years, in the year

2008 itself. The applicant has approached this Tribunal in the present OA after attaining the age of 25 years. No explanation for this delay is forthcoming.

4. In the circumstances, and in view of the fact that Smt. Geeta Devi and her four daughters are not made party in the OA, the issue involved in it cannot be adjudicated. The OA is accordingly dismissed. The applicant is, however, granted liberty to file a proper OA arraying therein the appropriate and necessary persons as party.

**(K.N.Shrivastava)
Member(A)**

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