

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00367/2018

Dated Thursday the 15th day of March Two Thousand Eighteen

PRESENT

HON'BLE MR. R. RAMANUJAM, Member (A)

D.Prabhu,
No. 68, Kovil Street,
Asamanthur Village & Post, Arakkonam Taluk,
Vellore Dist 632502.Applicant

By Advocate M/s. P. Rajendran

Vs

The Union of India rep by
the Assistant General Manager (Estt),
BSNL, Chennai Telephones,
89, Millers Road, Chennai 600010.Respondent

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Heard. The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To call for the records relating to the impugned order of the respondent in Lr. No. ASR/CGA/CHTD/1278/2007/11 dated 5.1.2018 and quash the same and direct the respondent to appoint the applicant in any suitable post on compassionate grounds and render justice.”

2. Learned counsel for the applicant submits that the applicant had submitted an application in the year 2006 for compassionate appointment which had been rejected only in the year 2017 based on the relative merit points system which never existed in the year 2006.

3. On perusal, it is seen that there is no evidence whatsoever, that the applicant made a request for compassionate appointment in the year 2006. If at all the allegation is true, the applicant owes an explanation why he did not agitate his grievance within a reasonable time when his claim was overlooked in alleged violation of the then prevailing policy. The applicant was at liberty to approach this Tribunal at the relevant time. However, there is no evidence that the applicant had been vigilant in the exercise of his legal right and as such this OA is a desperate attempt to revive a time barred claim as an after thought.

4. The applicant has failed to make out a valid case against the impugned order. The OA is frivolous and misconceived. It is accordingly dismissed at the admission stage.

(R. Ramanujam)
Member(A)
15.03.2018

SKSI