

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

ORIGINAL APPLICATION NO. 060/01457/2018

Chandigarh, this the 18th day of December, 2018

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MRS. P. GOPINATH, MEMBER (A)**

...

Gagan Parsad, age 32 years, son of late Sh. Ram Krishan, r/o House No. F-20/50, Nehru Colony, Majitha Road, Amritsar-143001 (Group-C)

....APPLICANT

(By Advocate: Shri Raj Karan Singh Verka)

VERSUS

1. Union of India through its Secretary, Ministry of Textil, Udyog Bhavan, New Delhi-110011.
2. The Textile Commissioner, office of Textile Commissioner, New CGO Building Nistha Bhawan, 48, New Marine Lines, Mumbai 400020.
3. Deputy Director Incharge, Regional Office of the Textile Commissioner, PO Rayon & Silk Mill Polytechnic Road, Chheharta, Amritsar-143001.

....RESPONDENTS

ORDER (oral)

SANJEEV KAUSHIK, MEMBER (J)

In the present Original Application (O.A.) the applicant seeks issue of a direction to the respondents to consider his case for appointment on compassionate grounds on demise of his father.

2. We have heard the learned counsel for the applicant and gone through the record.

3. Admittedly, the father of the applicant, who was working as Chowkidar, in Group- D category, unfortunately died on 11.9.2003. Immediately, thereafter the applicant submitted representation on 22.09.2003 and thereafter as per submission made by the learned

counsel, he has consistently been following his case with the respondents for appointment on compassionate grounds.

4. Learned counsel for applicant drew our attention to a communication dated 14.7.2005 whereby certain information was asked from the applicant. He submitted that after supplying the desired information the applicant is consistently in touch with the respondents, but they have not decided his claim till date. Therefore, he prayed that a direction be issued to the respondents to decide his claim for compassionate appointment by passing a reasoned and speaking order.

5. We are afraid that any direction can be issued to respondents at this belated stage. It is now well settled by the Apex judicial dispensation that compassionate appointment cannot be claimed as a matter of right. It is meant only to mitigate the hardship faced by the bereaved family on the demise of breadwinner. Father of the applicant had died long back on 11.9.2003. His representation though made thereafter on 22.9.2003, but no decision has been taken thereon. Then he had to approach the Court of law in time. Annexure A-2 dated 23.8.2005 makes it clear that the case of the applicant had been considered by the respondents and he was informed that there was no vacancy against which he could be considered for compassionate appointment. Therefore cause of action, if any, arose in favour of the applicant on 23.8.2005 and O.A. filed in 2018 is highly barred by time.

6. Considering the above and that repeated representations do not extend the period of limitation, as has been held by the Hon'ble

Supreme Court in the case of **S.S.Rathore Vs. State of Madhya Pradesh (JT 1989 (3) 530)**, the O.A. fails and is accordingly dismissed being barred by limitation.

(P.GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated:18.12.2018
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