

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

(2)

OA NO. 1283/2003

This the 21st day of May, 2003

HON'BLE SH. KULDIP SINGH, MEMBER (J)

Smt. Beera Rawat  
Wd/o Late Sh. G.B.Pant  
Ex.SPO No. 141570-A  
RZG-203/A Raj Nagar Part-II  
Palam Colony, New Delhi-45.

(By Advocate: Sh. M.L.Chawla)

Versus

1. Union of India through  
Secretary Defence  
M/o Defence  
South Block, New Delhi.
2. Chief of Naval Staff  
Naval Headquarters,  
New Delhi-110011.
3. Flag Officer,  
Commanding-in-Chief,  
Naval Headquarters,  
Visakhapatnam.
4. Director  
(Civilian Personnel)  
Naval Headquarters,  
Sena Bhawan, New Delhi.
5. Director  
Ex-Servicemen Affairs,  
Naval Headquarters,  
Sena Bhawan, New Delhi. .... Respondents.

O R D E R (ORAL)

This is an OA filed by the applicant seeking compassionate appointment. The predecessor of the applicant had expired sometime on 21.1.91. Applicant had earlier made an OA in the year 2001 which was contested by the respondents. However, since the respondents made a statement that the case of the applicant was to be considered by Board of Officers who are to make recommendation very shortly. The OA was disposed of with the direction to the respondents to take a final decision. In pursuance of the order passed by this Tribunal, respondents have now passed impugned order Annexure A 1

(CR)

wherein they have mentioned that only 5% direct recruitment vacancies arising within a year are meant for appointment on compassionate grounds.

2. It is also the stand of the respondents that the object and purpose of the scheme granting compassionate appointment is to provide assistance to the family to bring them out of immediate crisis which falls upon them at the time of the death of the predecessor. In this case since the applicant has expired in the year 1991 and at the time when the case was considered by the respondents, 11 years have already passed, so the department was of the view that need for immediate assistance by way of compassionate appointment to tide over the emergency and crisis was lacking in the case as the sailor expired on 21.1.1991.

3. In view of the above, I find that department is right in rejecting the case of the applicant. As the predecessor of applicant expired in the year 1991. Whatever financial crisis were there that was in the year 1991 and by now the same crisis cannot be said to be still existing. If compassionate appointment in such like case are granted their entire purpose of the scheme on compassionate appointment shall get frustrated and genuine applicant would suffer. Thus I find that this case has no merits and is accordingly dismissed.

  
( KULDIP SINGH )  
Member (J)

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