

**CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BENGALURU**

**ORIGINAL APPLICATION NO.170/001364/2018**

**DATED THIS THE 1<sup>ST</sup> DAY OF AUGUST, 2019**

**HON'BLE DR.K.B. SURESH  
HON'BLE SHRI C.V. SANKAR**

**...MEMBER(J)  
...MEMBER(A)**

Sri D. Prabhu,  
S/o Late R Dorai Swamy,  
No.323, 9<sup>th</sup> Cross, Shastri Nagar,  
T.R. Nagar,  
Bengaluru-560 028.

..Applicant.

(By Advocate Shri N.G. Phadke)

Vs.

1.The Union of India,  
Ministry of Finance  
Department of Revenue ,  
By its Chairman,  
Central Board of Excise & Customs,  
North Block,  
New Delhi-110001.

2.The Chief Commissioner of Central Excise,  
Bangalore Zone, Central Revenue Buildings,  
Queen's Road,  
Bangalore-560 001.

....Respondents.

(By Standing Counsel Shri V.N. Holla, for Respondents)

**ORDER (ORAL)**

**HON'BLE DR.K.B.SURESH                      ...MEMBER(J)**

Under the Hindu law, under the concept of pious obligation in Meghachandra process of law, a man can marry only when he is capable of looking after his family. That is the age old tradition of Indian Hindu family, whether

nuclear or joint. That being so, we have held in many number of cases that when a man marries, except on certain exceptional circumstances, which must be alluded to, he takes the responsibility of the family fully knowing that he can bear the responsibility of the family.

2. Apparently, the deceased Government employee passed away in 2003. Rejection of his application was in the year 2015. It may not always be proper for us to condone this long delay, as appropriate grounds does not seem to be available to bridge over the distance between 2003 and 2018.

3. At this point of time, learned counsel for the applicant submits that the applicant is now 37 years of age. Therefore, his selection may not be correct, for the reason that the department will have to bear the pensionary burden to him for his entire life, and they may not get appropriate service also back from him.

For these multiple reasons, we hold that there is no merit in the OA.

OA dismissed. No costs.

(C.V. SANKAR)  
MEMBER(A)

(DR.K.B.SURESH)  
MEMBER(J)

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**Annexures referred to by the Applicant in OA No.170/001364/2018**

1. Annexure A1 : Copy of SSLC Mark's card.
2. Annexure A2 : Copy of Diploma in Computer Science.

3. Annexure A3 : Copy of Degree of Bachelor of Computer Applications.
4. Annexure A4 : Copy of Caste Certificate.
5. Annexure A5 : Request letter dated 10.01.2014 of the mother of the Applicant.
6. Annexure A6 : II-Respondent's letter dated 28.1.2014.
7. Annexure A7 : Impugned decision/letter dated 16.4.2015.

**Annexures referred to by the respondents in the Reply**

1. Annexure R1: Copy of OM dated 16.01.2013.
2. AnnexureR2 : Copy of letter dated 20.01.2008.
3. Annexure R3: Copy of OM dated 26.07.2012.
4. AnnexureR4 : Copy of letter dated 16.04.2015.

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