

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

**Misc. Application No. 291/899/2019  
(Original Application No. 291/615/2019)**

**DATE OF ORDER:** 14.10.2019

**CORAM**

**HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER  
HON'BLE MR. A. MUKHOPADHAYA, ADMINISTRATIVE MEMBER**

Kumar Gourav S/o Late Sh. Roadmal Redas, Age 29, Vill. Rashulpura (Dhuvaliya Nada), Vaya-Madar, Distt. Ajmer. Father of the applicant was working on the post of CTOA (TL) SDO III Group 'C' Service - 9252278746

....Applicant

Mr. Amit Mathur with Mr. Kapil Mathur, counsels for applicant.

**VERSUS**

1. General Manager, B.S.N.L., Ajmer – 305001.
2. Deputy General Manager (C.F.A.) and C.P.I.O., Ajmer – 305001.
3. Assistant General Manager, recruitment, Office-Chief General Manager, Rajasthan Telecom Circle, Sardar Patel Marg, C-Scheme, Jaipur-302005.

....Respondents

**ORDER (Oral)**

**Per: Suresh Kumar Monga, Judicial Member**

Applicant's father late Shri Roadmal Redas had been working with the respondent-department. Unfortunately, he expired on 16.12.2005 while in services of the respondents. At the time of his death, the applicant was a minor. The applicant's mother submitted an application on 13.02.2006 seeking employment for him on compassionate grounds. The said application was declined on 16.10.2007 by the respondents as the applicant had not attained the age of majority by that time.

2. After attaining the age of majority, the applicant again submitted an application with the respondents on 17.03.2008 seeking employment on compassionate grounds. After considering various factors, the family of the deceased Govt. employee was not found to be in penurious conditions and, accordingly, the respondents declined the said application as well on 29.05.2012.

3. It has been stated by the applicant that after the aforesaid order dated 29.05.2012, he gave various representations but none of those representations have been replied by the respondents. Feeling aggrieved, the applicant has preferred the present Original Application under Section 19 of the Administrative Tribunals Act, 1985 for quashing the order dated 29.05.2012 and for issuance of a direction to respondents to grant him employment on compassionate grounds.

4. The applicant has also filed a Misc. Application seeking condonation of delay in filing the Original Application. It has been pleaded that due to certain unavoidable circumstances, the applicant could not file the Original Application within limitation. It has further been pleaded that the applicant remained in a doubt that there is no limitation for filing the Original Application. Learned counsels for the applicant submitted that the delay in filing the Original Application is bona fide and the same deserves to be condoned.

5. We have considered the arguments of learned counsels for the applicant and perused the record carefully.

6. Admittedly, the applicant's request for grant of employment on compassionate grounds was declined by the respondents on 29.05.2012. The cause of action accrued to him on 29.05.2012. After the order dated 29.05.2012, there was no occasion with the applicant to move further representations. Even the applicant has failed to produce on record those representations. Neither the delay has been quantified nor it has been explained by the applicant. In one paragraph of the Misc. Application, he stated that due to certain unavoidable circumstances, he could not file the Original Application within limitation. Whereas, in another paragraph, he stated that he remained in a doubt that there is no limitation for filing the Original Application.

7. In the facts and circumstances of the case, we are not inclined to condone an inordinate delay of more than six years and, therefore, the Misc. Application deserves to be dismissed.

8. Accordingly, the Misc. Application seeking condonation of delay in filing the Original Application, being devoid of merit, is hereby dismissed. Consequently, the Original Application is also dismissed being barred by limitation. However, there shall be no order as to costs.

**(A. MUKHOPADHAYA)**  
**ADMINISTRATIVE MEMBER**

**(SURESH KUMAR MONGA)**  
**JUDICIAL MEMBER**