

2. An innocuous order has been passed by the Tribunal to consider afresh the claim of the 1st respondent seeking compassionate appointment on the death of his father in harness in the light of the existing policy.

3. It was contended by the learned counsel appearing for the petitioners that after a lapse of nine years from the date of earlier order passed by the petitioner rejecting the claim of the applicant, the Original Application was filed by the 1st respondent. It is also submitted that the existing policy would not apply as the father of the applicant had died prior to the formulation of the existing policy. It is also submitted that the original file was produced before the Tribunal but it had made a wrong observation that the original file was not produced.

4. There was no record to show that the earlier order passed by the petitioner on 13.7.2005 was communicated to the mother of the 1st respondent. The order dated 13.7.2005 was annexed along with order dated 25.10.2013, rejecting the first application filed by the 1st respondent on 18.9.2013. Therefore, the claim of the 1st respondent cannot be declined on the ground of limitation. Further, Clause 8 of the scheme for compassionate appointment formulated by the petitioner would read that there is no limitation for making a claim for compassionate appointment.

5. Though the father of the 1st respondent had passed away prior to the formulation of the existing policy, there is nothing wrong

in considering the claim of the 1st respondent under the existing policy, inasmuch as the 1st respondent has sought reconsideration in the light of the existing policy.

6. In view of the above, we find that there is no merit in the Writ Petition. The petitioner shall consider the claim of the 1st respondent seeking compassionate appointment within two months from the date of this order. The Writ Petition stands dismissed with the above direction.

**(M. JEYAPPAUL)
JUDGE**

**(SNEH PRASHAR)
JUDGE**

December 09, 2015

p.singh