

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE G. SHYAM PRASAD

Writ Petition No.30706 of 2016

ORDER: *(per V. Ramasubramanian, J.)*

Aggrieved by the dismissal of their application by the Andhra Pradesh Administrative Tribunal for grant of appointment on compassionate grounds to one of them, the legal representatives of the deceased Government servants have come up with the present writ petition.

2. Heard Dr. K. Lakshmi Narasimha, learned counsel for the petitioners and the learned Government Pleader for Services (Telangana).

3. Admittedly, the husband of the 4th petitioner herein, who was employed as Superintendent in the office of the Assistant Supply Officer, Civil Supplies Department, died in harness on 28-05-1994. The request made by the 4th petitioner herein for appointment on compassionate grounds, was rejected by a non-speaking order dated 28-05-1998.

4. But some how, the petitioners made repeated representations on which the file started moving back and forth. Therefore, claiming that their claim was not dead and gone but kept alive giving rise to hopes, the petitioner approached the A.P. Administrative Tribunal. But the Tribunal dismissed the claim holding that it is hopelessly barred by time. It is against the said order that the petitioners have come up with the above writ petition.

5. The wife of the deceased Government servant is now 57 years of age. The three children of the Government servant are now aged 40, 39 and 34 years respectively. The death happened about 22 years ago.

6. It is needless to point out that the object of providing appointment on compassionate grounds is to tide over the financial crisis into which the family of a deceased Government servant is plunged. But, after a period of 22 years, the said object gets lost.

7. However defective the original order of rejection passed in the year 1998 maybe, the same gave rise to a cause of time at that time. It cannot be kept alive for such a long time. Therefore, we see no reason to interfere with the order of the Tribunal. However, it should be pointed out that the claim for *ex-gratia* could always be considered by the respondents, as we cannot put a time limit for the same. Hence, the respondents are directed to consider the claim for payment of *ex-gratia* and pass orders within a period of eight (8) weeks.

Hence, the writ petition is disposed of. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

G. SHYAM PRASAD, J

Date: 15-12-2016

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