

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No. 40703 of 2016

ORDER: (Per VRS,J)

Aggrieved by the dismissal by the Central Administrative Tribunal of his claim for appointment on compassionate grounds, the petitioner has come up with the present writ petition.

2. The petitioner approached the Tribunal way back in the year 2008, on the ground that his father died in 1998. The Department rejected his claim, on the ground that the family was not in indigent circumstances. The relevant portion of the order of the Tribunal, where reasons are stated, is extracted as follows:

“The deceased official left behind wife, two grown up sons and a daughter. The widow possess a landed property of 217 sq.yards of house site at Neredmet (Hyd.). The terminal benefits received by the family are worth of Rs.2,72,361/- besides monthly family pension of Rs.5,287/-. When compared to the indigent circumstances of other candidates considered by the Committee in the special CRC and also in view of the limited No. of 5% of the approved vacancies, the candidate did not merit for the selection.”

3. On the basis of the above, the Tribunal dismissed the application filed by the petitioner. Though the order of dismissal was dated 19.08.2009, the petitioner has come up with the above writ

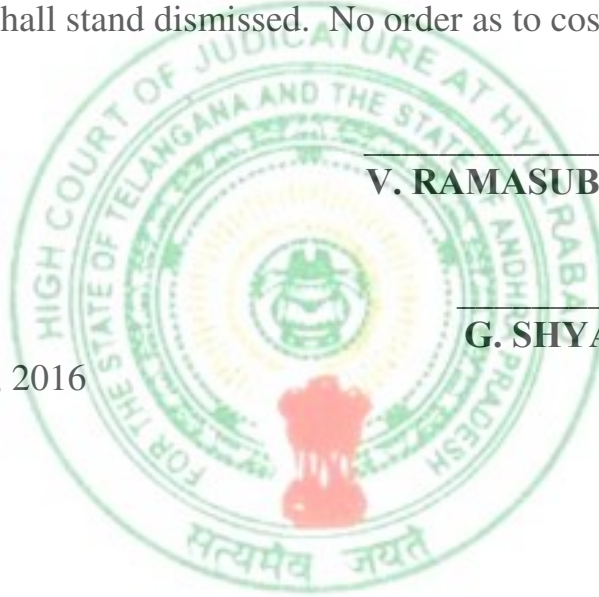
petition, after a long delay of seven years, on the ground that other candidates, who succeeded before the Tribunal, were given employment. But, other candidates succeeded, on the basis of the finding that their families were in indigent circumstances. Therefore, the writ petition is liable to be dismissed both on merits and also on the ground of delay and laches of about seven years in challenging the order of the Tribunal. Accordingly, the Writ Petition is dismissed.

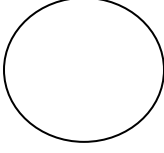
Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

G. SHYAM PRASAD, J

9th December, 2016
cbs





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Writ Petition No. 40703 of 2016
(dismissed)

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