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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 3336/2017**

HEMANT SINGH

..... Petitioner

Through: Mr. Thakur Sumit, Advocate.

versus

DEPARTMENT OF PERSONNEL AND TRAINING AND ANR

..... Respondents

Through: Mr. Vivek Goyal, CGSC for
respondent No.1/ UOI.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

19.04.2017

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C.M. No. 14562/2017

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 3336/2017 and C.M. No. 14561/2017

The petitioner has impugned the order dated 10.01.2017 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (the Tribunal) in O.A. No. 4570/2014, whereby the said Original Application of the petitioner has been dismissed.

The petitioner's father Narain Singh passed away on 03.11.2011. The

petitioner was one of the two sons, who survived him. The petitioner made an application to seek compassionate appointment. His application was initially rejected on the ground that he had crossed the age of 25 years. The petitioner approached the Tribunal to assail the said order. The Tribunal passed the order holding that the petitioner's case may be considered without the said age bar.

In the second round, the petitioner was again not granted compassionate appointment. On this occasion, apart from respondent No.2, two other ladies were granted compassionate appointment by implementing the point system. The Tribunal has taken note of the aspects which have prevailed in the said decision making process of the respondents. It is, inter alia, noticed that the Screening Committee found that Smt. Poonam was drawing a family pension of Rs.1,890/- for six dependant family members when compared to family pension of Rs.5,420/- received by Sh. Hemant Singh for three dependent family members. The terminal benefits in respect of Smt. Poonam were Rs.68,652/-, whereas in case of the petitioner Sh. Hemant Singh, the terminal benefits were to the tune of Rs.6,08,869/-.

The submission of the petitioner is that the Screening Committee did not correctly apply the point system.

It is well-settled that there is no vested right in anyone to claim compassionate appointment. It is also well-settled that compassionate appointment is granted to provide immediate succour to the grieving family so that another eligible person in the immediate family may be granted employment so as to prevent the family from falling into penury.

In the present case, the petitioner's family received terminal benefits of Rs.6,08,869/-. Moreover, the demise of the petitioner's father took place

in the year 2011, and since then, over five years have passed. The Tribunal has already examined the competing claim of the petitioner vis-a-vis respondent No.2, who has been granted compassionate appointment amongst the two other ladies. Pertinently, the petitioner is already employed as a Data Entry Operator – though he states that he is working on temporary contractual basis.

In these circumstances, we find absolutely no merit in the present petition.

Dismissed.

VIPIN SANGHI, J

DEEPA SHARMA, J

APRIL 19, 2017

B.S. Rohella