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

+ **W.P.(C) 8019/2019**

PRAVEEN KUMAR

..... Petitioner

Through: Mr. V.K. Jain with Mr. Anil Karnwal,
Advs.

versus

NORTH DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondent

Through: Mr. Ram Kumar, Adv. for R-1 &2.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

25.07.2019

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CM APPL. 33239/2019

Exemption allowed, subject to all just exceptions. The application stands disposed of.

W.P.(C) 8019/2019

The petitioner has preferred the present writ petition to assail the order dated 11.03.2019, passed by the Central Administrative Tribunal, Principal Bench, New Delhi (the Tribunal) in O.A No. 4084/2015. The Tribunal has rejected the petitioner's claim for compassionate appointment. The petitioner's father, who was serving as Beldar in Municipal Corporation of Delhi died on 24.11.2007 after rendering 27 years of service. The

petitioner made his application for compassionate appointment on 12.06.2008. That application was rejected on 21.12.2010. The petitioner preferred an Original Application being O.A No. 1365/2011. That original application was disposed of by directing consideration of the same as a representation. Another order was passed by the respondents on 20.06.2011– rejecting the petitioner’s claim on the ground that there was no vacancy. The petitioner yet again filed O.A. No. 3185/2011. The respondents once again considered the petitioner’s claim and rejected the same on 13.01.2012. This consideration was for the years 2009-10 and 2011. The petitioner secured only one point in the point system adopted by the respondents. The tenacity of the petitioner is demonstrated by the fact that he yet again filed O.A. No. 3715/2012. Once again the Tribunal remitted the matter back to the respondents to consider his case and pass a reasoned order. Since no order was passed, he preferred a contempt petition. However, the respondents passed an order on 21.05.2014. The petitioner again challenged the same by preferring the Original Application in question, which has been rejected.

The Supreme Court as well as this Court have, time and again, held that compassionate appointment is not a source of recruitment. It is granted to the family of the deceased government servant to tide over the immediate financial distress that it suffers on account of the demise of the Government Servant. With passage of time, the justification for grant of compassionate appointment fades away. Since the demise of serving Government Servants is an unavoidable occurrence, fresh cases keep cropping up from time to time, and the application made by a person has to be examined in the light of the more pressing needs than the other applicants who deserve immediate

succour.

It appears to us that the petitioner reels under the impression that he has a vested right to seek compassionate appointment. Even after 12 years of demise of his father, the petitioner has continued to pursue the same.

We do not find any merit in this petition and dismiss the same.

VIPIN SANGHI, J

RAJNISH BHATNAGAR, J

JULY 25, 2019

N.Khanna