

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 637/2002

New Delhi, this day the 5th March, 2002

HON'BLE MR. S.A.T. RIZVI, MEMBER (A)

Shri Nitin Sharma,
Son of Shri G.R. Sharma,
Resident of D-442, Moti Bagh-I,
New Delhi

... Applicant

(By Advocate : Shri B. Krishan)

Versus

1. Government of N.C.T. Delhi
Through its Chief Secretary,
(Services II Depaartment)
Delhi Secretariat,
5th Level, A Wing, I.P. Estate,
New Delhi-2
2. The Director of Education,
Directorate of Education,
Old Secretariat,
Civil Lines, Delhi - 110 007

... Respondents

O R D E R (ORAL)

By an order passed on 20.7.2001 in OA No. 1777/2001, this Tribunal directed the respondents to decide the applicant's case for appointment on compassionate basis in the light of the recommendations made by the Screening Committee in its meeting held on 18.8.1998 expeditiously and in any case within a period of three months. In compliance of the aforesaid order, the respondent-authority has passed a detailed order dated 30.10.2001 (Annexure-1) giving reasons why the applicant cannot be considered for appointment straightaway and within the period indicated in the Tribunal's order aforesaid. They have in the said order clearly indicated that going by the 5% limit fixed for compassionate appointment only 3 LDCs could

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be appointed by them on compassionate ground during 1999-2000 and none could be given an appointment on that basis during 2000-2001. A total of 162 cases empanelled for appointment on compassionate basis are required to be considered for appointment in turn and in due course. Looking at the size of the problem, the respondents have in so many words stated in the aforesaid order that it may not be possible to provide immediate relief to the applicant by offering a compassionate appointment in terms of the recommendations made by the Screening Committee in its meeting held on 16.8.1998 The respondents have decided, however, to carry out a review of the recommendations made by the Screening Committee and to decide on future course of action in this regard. No time frame has been specified in the impugned order within which the aforesaid review is to be carried out. This places the applicant as well as all others like him in an uncertain position. In the circumstances, the respondents need to be directed to carry out the aforesaid review within a given time frame to settle the matter once and for all.

2. Having regard to the situation set out ~~as~~ above and the submissions made by the learned counsel, I find that the interest of justice will be duly met in the present case by disposing of this OA at this very stage even without issuing notices with a direction to the respondents to carry out the review in question expeditiously and in any event within a period of three months from the date of receipt of a copy of this

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order. The respondents should be able, as a result of the aforesaid review, to point out for the benefit of the applicant and all other similarly placed the most likely time frame within which they are likely to be offered appointments. The respondents are directed accordingly.

3. The OA is disposed of in the aforesated terms.



(S.A.T. RIZVI)
MEMBER (A)

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