



CENTRAL ADMINISTRATIVE TRIBUNAL

CHANDIGARH BENCH

O.A.No.060/00063/2020

Chandigarh, this the 23rd January, 2020

HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

Sandeep Singh, age 24 years, s/o Late Sh. Paramjet Singh, resident of House No. 356, Anandpur Jalbera, District Ambala, Haryana – 134003.

....Applicant

(BY: MR. DHIRAJ CHAWLA, ADVOCATE)

Versus

1. Union of India through Secretary, Department of Revenue, Ministry of Finance, Central Government Offices Complex, North Block, New Delhi – 110001.
2. Central Goods & Services Tax Commissionerate, Plot No. 19, Sector 17-, Chandigarh through its Principal Commissioner – 160017.

... Respondents

O R D E R(Oral)

SANJEEV KAUSHIK, MEMBER (J):

1. Applicant, in this O.A., has assailed the order dated 01.11.2019 (Annexure A-1) and another dated 05.03.2019 (Annexure A-1/A) whereby the provisional appointment, on compassionate grounds, of the applicant to the post of Havildar, has been cancelled.
2. Heard.



3 Learned counsel submitted that the case of the applicant for appointment on compassionate grounds was considered and was recommended for provisional appointment to the post of Havildar, as is apparent from letter dated 13.07.2018 (Annexure A-3). However, the applicant could not meet the standards of prescribed physical test as his chest was short by 2 cms, and therefore, his candidature for provisional appointment was cancelled. Learned counsel argued that the respondents have powers to relax the physical standards under the relevant Rules, which they did not exercise. He further submitted that if applicant is not eligible to be appointed as Havildar, he may be offered appointment against any other Group C post, on compassionate grounds. He contended that the applicant has submitted a representation dated 08.11.2019 (Annexure A-7) requesting the respondents to grant him appointment to any other Group 'C' post which has not been answered till date. He prayed that the applicant would be satisfied if a direction is issued to the respondents to consider his representation in accordance with law.

4. In the wake of above, I deem it appropriate to dispose of the O.A., in limine, with a direction to the respondents to re-appreciate the case of the applicant for appointment to



the post of Havildar in view of the relevant Policy and the powers given in the Recruitment Rules, to relax the minimum physical standards, or to consider his case for appointment to any other post, along with other candidates, in the next meeting to be held for the purpose.

5. Needless to mention that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case. No costs.

(Sanjeev Kaushik)
Member (J)

Place: Chandigarh
Dated: 23.01.2020

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