

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original application No.040/00177/2019

Date of Order: This the 31.05.2019

HON'BLE MR.N.NEIHSIAL, ADMINISTRATIVE MEMBER

1. Shri Prabhat Singh
S/O-Late Papu Singh,
Resident of Qtr.No.4 Type 2
Zoological Survey of India ,
Risha Colony, Khasi Hills District,
Shillong Meghalaya.
2. Miss Sanjana Singh
D/O Late Papu Singh,
Resident of Qtr No.4 Type -2.
Zoological Survey of India
Risha Colony, Khasi Hills District
Shillong Meghalaya
3. Shri Kunal Sinsgh
S/O-late Papu Ssingh
Resident of Qtr No.4 Type 2
Zoological Survey of India
Risha Colony, Khasi Hills Districty
Shilong Meghalaya
4. Shri Gaurav Singh
S/O Late Papu Singh
Resident of Qtr No.4 Type 2
Zoological Survey of India
Risha Colony, Khasi Hills Districty
Shilong Meghalaya
5. Shri Rajveer Singh
S/O-Late
S/O Late Papu Singh
Resident of Qtr No.4 Type 2

Zoological Survey of India
 Risha Colony, Khasi Hills District
 Shillong Meghalaya

Applicants.

By Advocate Mr.M.Chanda

-Versus-

1. Union of India
 (Represented by the Secretary
 to the Govt. Of India,
 Ministry of Homes,
 New Delhi-110001.
2. The Director
 Prani Vigyan Bhawan
 M-Block, New Alipure
 Kolkata-77000053
3. The Officer -in -Charge,
 Zoological Survey of India,
 Risha Colony, Khasi Hills District,
 Shillong, Meghalaya

Respondents.

By Advocate: Mr.A.Kundu, Addl.C.G.S.C.

ORDER (O R A L)

Per Hon'ble Mr.N.Neihzial,Member(A):

At the outset, Mr.M.Chanda, learned counsel for the applicants mentioned this case in presence of Mr.A.Kundu, learned Addl.C.G.S.C. and accordingly, the same is being taken up today as unlisted.

2. Being aggrieved for non-consideration for compassionate appointment under the relevant Scheme of compassionate appointment, the applicants have filed this O.A. under Section 19 of the Administrative Tribunals Act 1985 with the following reliefs.

“ 8.1 That the Hon'ble Tribunal be pleased to direct the respondents to consider appointment of applicant No.1 for compassionate appointment under the relevant Scheme of compassionate appointment issued by the Govt. of India in any suitable grade IV post with immediate effect.”

3. I have heard Mr.M.Chanda, learned counsel for the applicant and Mr.A.Kundu, learned Addl.C.G.S.C. for the respondents.

4. In this O.A., Mr. M. Chanda, learned counsel for the applicants pray for direction to the respondents to consider appointment of applicant No. 1 for compassionate appointment.

5. The applicants prayed for compassionate appointment on earlier occasion vide O.A. No. 187 of 2018 where this Tribunal by an order dated 05.09.2018 passed a judgment and order. However, in the operating part of the said order, it was not specifically mentioned about the compassionate appointment. Thereafter, the applicants approached this Tribunal vide M.A.No.52/2019 for correction of an inadvertent typographical mistake crept in the prayer No.8.2 of the Original Application No.187/2018. This was not accepted and accordingly, said M.A. was dismissed vide order dated 25.03.2019 with a remarks that – “Learned counsel for petitioner may like to take appropriate legal course if available to make the correction.” Hence, the present O.A. has been again filed by the petitioners/applicants.

6. Keeping in view of this, it is felt that it would be fair to the applicants, if respondents are directed to consider the case of the applicant No.1 for compassionate appointment as prayed for. Accordingly, respondents are directed to consider the case of the

applicant No.1 for compassionate appointment and issue a detailed speaking order, if it is not admissible as per rule.

7. With the above directions, O.A. is disposed of at the admission stage. There is no order as to costs.

(N.NEIHSIAL)
ADMINISTRATIVE MEMBER

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