



**Central Administrative Tribunal  
Principal Bench, New Delhi**

**O.A. No. 202/2020**

**This the 27<sup>th</sup> day of January, 2020**

**Hon'ble Mrs. Aradhana Johri, Member (A)**

Mr Mohit

S/o Late Sh. Munna Lal,

R/o H.No. 5/224,

Near Virat Cinema,

Dakshinpuri,

New Delhi-110062

... Applicant

(By Advocate: Mr Fazal W K Warsi )

**VERSUS**

1. D.D.O, New Delhi Zone-3

CPWD Sewa Bhawan

R.K Puram

New Delhi-110066

2. Union of India

Through Secretary

Ministry of Urban Development

Nirman Bhawan

New Delhi-110011

... Respondents

(By Advocate: Dr Ch. Shamsuddin Khan)

**ORDER (O R A L)**

**Hon'ble Ms. Aradhana Johri, Member (A):**

Mr Fazal W K Warsi, learned counsel appeared on behalf of the applicant. Dr Ch. Shamsuddin Khan, learned counsel appeared on behalf of the respondents.



2. This OA has been filed by Mr. Mohit seeking compassionate appointment in place of his father, Shri Munna Lal who expired on 02.09.2009. Shri Munna Lal was beldar with the respondent organization. On 09.12.2009, Smt Jamuna Devi, mother of the applicant had filed an application for employment of herself, since her son was minor. When the desired result was not obtained, she filed OA no. 1338/2013. Wherein following orders were passed:-

*“Heard. It is submitted at the Bar by both the counsel that Committee is meeting in February 2014 to consider the case of the applicant also and that applicant had submitted all the requisite papers for consideration. There is nothing more remaining in the matter for objective and significant consideration of the matter. Original application is disposed of. No costs.”*

3. In the meantime, the applicant has attained majority and he filed an application seeking compassionate appointment in 2018. On 19.07.2019, the respondents issued letter no. 10(18)/EC-2/M Zone/2019/20163 to the applicant stating that the post of beldar has been dis-continued and no further appointments will be done on this post. They have also intimated the minimum qualification for the post of MTS and lower division clerk. Accordingly, they have asked the applicant to file the requisite papers at the earliest. These papers have not yet been filed by the applicant, instead he gave a



legal notice on 08.08.2019. In the said notice, by way of reply to the letter 24.07. 2019 he only said in Para 5 as under:-

*“5. Apropos my client as per the directions through the letter dated 24.07.2019 had personally visited to your office along with his old aged mother after making the entry pass but you the notice were not available and your PA advised my client to meet your subordinate officer Shri Satber Sharma and apprise about the application and order of the CAT and said Mr. Sharma told my client to forget about any job or employment on the basis of Compassionate ground. And the said conversation is recorded by my client on his mobile phone.”*

4.It appears from the above, the applicant has not provided the requisite papers for the two positions mentioned in the letter of 19.07.2019 or any other position which he may be eligible for.

5.In light of the above, at this stage, other channels of remedy are available to the applicant. As per Section 20 of the Administrative Tribunal Act 1985 till this remedy is available, application can not lie with this Tribunal. This OA is disposed of accordingly.

**(Aradhana Johri)**  
**Member (A)**