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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

R.A. No. 64 of 2002 in
Original Application No. 2540 of 2001.

New Delhi, this the 20th day of January, 2003

HON'BLE MR. KULDIP SINGH, MEMBER(JUDL)

Ashwani Kumar
S/o Late Shri Babu Ram Kashyap
R/o 35, Ashoka Police Lines,
Kautilya Marg, Chanakyapuri,
New Delhi.

-APPLICANT

(By Advocate: Shri Arun Bhardwaj)

Versus

Commissioner of Police
Police Headquarters and Others
I.P. Estate,
New Delhi.

-RESPONDENTS

(By Advocate: Shri Ajay Gupta)

ORDER

By Hon'ble Mr. Kuldip Singh, Member(Judl)

This is an RA filed by the applicant under Section 22(3)(f) of the Act, 1985 read with Rule 17 of the CAT Procedure Rules.

2. The facts in brief are that the applicant had filed an OA seeking appointment on compassionate grounds. The said OA was dismissed vide order dated 12.2.2002.

3. In the RA the applicant has pleaded that vide a document which was not in the possession of the applicant when the OA was decided but later he came to learnt that he has been selected for appointment on compassionate grounds for the post of Head Constable, so he has also placed on record photocopy of the order dated 27.4.2001 and submitted that this document may be taken

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into consideration and the OA should be re-heard and the respondents should be directed to give appointment to the applicant on compassionate grounds.

4. The respondents in their reply pleaded that though vide order dated 27.4.200 the case of the applicant was considered for the post of Head Constable, AWO on compassionate grounds, but, however, after taking into account the financial condition of the deceased family, age of the deceased at the time of the death, ages of the children and the essential needs of the family, the case of the applicant was compared with other candidates who had also applied for compassionate grounds and the case of the applicant was found to be less deserving in comparison to others whose cases were considered by the Screening Committee for compassionate appointment, so the case of the applicant was rejected. Thus, in the reply the respondents reiterated that the case of the applicant was rejected as the family of the applicant was not found to be in penury condition with other candidates.

5. On going through the order passed by the court on 12.2.2002, I also find that this court had also found that the family of the deceased employee is not living in a penury condition so he is not entitled for compassionate appointment and since there was no need to bring the family out of the alleged financial crisis, so I do not find that there is any error apparent on the face of the record which may call for the review.

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6. In view of the above, there is no merit in the
RA and the same is dismissed. No costs.

Kuldeep Singh
(KULDIP SINGH)
MEMBER(JUDL)

Rakesh