

Central Administrative Tribunal
Principal Bench: New Delhi

9

O.A. No.3044/2001

This the 23rd day of August, 2002

Hon'ble Shri V.K. Majotra, Member (A)

Shri Mahinder Singh
S/o late Shri Asharam
Village Manglabari
PO Kuchela
Distt. Mainpuri (U.P.).

-Applicant

(By Advocate: Shri S.R. Kalkal)

Versus

1. Union of India
through Secretary
Ministry of Defence
South Block, DHQ,
New Delhi-110001

2. Director General of Medical Services (Army)
Adjutant General's Branch
Army Headquarters,
'L' Block, New Delhi-110001

3. Commandant
Base Hospital
Delhi Cantt-110010

-Respondents

(By Advocate: Shri D.S. Mahendru)

ORDER (Oral)

Applicant has challenged Annexure A-5 dated 29.3.2001 relating to his application for compassionate appointment rejecting his claim stating that as per DOP&T OM No.14014/23/99-Estt(D) dated 3.12.99 applications for compassionate appointment are to be considered only once by the concerned Directorate. Hence, "your case will not be considered again by the Directorate General." Learned counsel of the respondents very fairly admitted that respondents have inadvertently mentioned in Annexure A-5 that such an application has to be considered only once. As a matter of fact, three opportunities are accorded to such applicants. As such, he further drew my attention to Para-4(j) of his counter in which it is stated that a meeting was held on 19.4.2002 wherein applicant's position was at Sl. No.127 against 10 vacancies. Another meeting was to be held in the second week of May, 2002, wherein applicant's name was to be considered for compassionate appointment but that meeting could not be held. As such, the

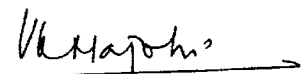
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applicant has to be accorded two more opportunities for consideration for compassionate appointment.

2. Learned counsel of the applicant stated that applicant's father was serving as a messenger in Base Hospital Delhi Cantt. He died in harness leaving behind a family of seven persons, i.e., his widow and six children. The elder son is mentally retarded and the next member of the family is the applicant herein.

3. In the facts and circumstances of the case, this OA is disposed of with a direction to the respondents to consider applicant's claim for compassionate appointment by granting him two more opportunities from now as per rules/instructions on the subject.


(V.K. Majotra)
Member (A)

cc.