

Central Administrative Tribunal
Principal Bench, New Delhi.

O.A.No.1085/95

New Delhi this the 27th day of September, 1995.

Hon'ble Shri B.K. Singh, Member(A)

Shri Chander Pal,
S/o late Shri Bhim Sain,
R/o Dr.No.E-335, Kidwai Nagar,
New Delhi. Applicant

(through Sh. Jeetendra Bhardwaj, advocate)

versus

1. Union of India,
through its Secretary,
Ministry of Housing & Urban
Development, Nirman Bhawan,
New Delhi.
2. The Chief Engineer,
Central Public Works Department,
Nirman Bhawan,
New Delhi.
3. Executive Engineer,
Delhi Central Zone-II,
C.P.W.D., I.P. Bhawan,
I.T.O., New Delhi.
4. The Estate Office,
Nirman Bhawan,
New Delhi. Respondents

(through Sh. M.K. Gupta, advocate)

ORDER(OKAL)
delivered by Hon'ble Sh. B.K. Singh, Member(A)

Heard the learned counsel for the parties.

In the light of the latest law laid down by the Hon'ble Supreme Court in case of L.I.C. vs. Asha Ramchandra Ambekar (1994(1) scale P.748), the court is not competent to issue any direction to the respondents for making an appointment on compassionate ground. In case of severe financial hardship, the



applicant is expected to approach the competent authorities stating his case for a compassionate appointment. The compassionate appointment is to be made only on grounds of indigent circumstances. It is for the applicant to show that he is in indigent circumstances and deserves compassionate appointment. In case of L.I.C. Vs. Mrs. Asha Ramchandra Ambekar(supra), it has been held that the courts are not to be guided by their instinct and impulses but have to be guided by the logic of law which is the epitome of all wisdom. The court should not issue a direction to the respondents to make appointment on compassionate ground. In the light of the law laid down by the Hon'ble Supreme Court, this application is dismissed as misconceived. However, this will not be a bar for the respondents to consider the case of the applicant on merits.

(B. K. SINGH)
MEMBER (A)

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