

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 21/1996

New Delhi this the 1st day of May, 1996.

HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

Neeraj Kumar S/O Late Ram Kumar,
R/O K-137, Clive Square,
Rama Krishna Marg,
New Delhi.

... Applicant

(By Shri A. K. Bhardwaj, Advocate)

-Versus-

1. Union of India through
The Director General,
Directorate of Printing,
Govt. of India, 'B' Wing,
Nirman Bhawan, New Delhi.

2. The Assistant Director (A-III),
Government of India,
Directorate of Printing,
'B' Wing, Nirman Bhawan,
New Delhi.

3. The General Manager,
Govt. of India Press,
Minto Road, New Delhi.

... Respondents

(By Shri V. S. R. Krishna, Advocate)

O R D E R (ORAL)

The applicant is the son of a deceased Government employee who was working in the Directorate of Printing. Consequent upon the death of the applicant's father, the widow of the deceased employee, Shri Ram Kumar, had applied for a compassionate appointment. In pursuance of that application which was perhaps not considered at that time, she approached the Tribunal in O.A. No. 127/1994 which was disposed of by order dated 19.9.1994 directing the respondents to dispose of the application of the widow for compassionate appointment within a period of three months and if she had been considered fit, the respondents

should also consider the question of regularisation of the Government accommodation allotted to her late husband according to rules. It was also provided that the applicant in that O.A. should abide by the final result which would be conveyed to her as far as regularisation of the accommodation was concerned. The applicant in that O.A. was subsequently informed that her case for compassionate appointment would be considered by the respondents and her name for the post of labourer stood included in the panel and would be considered in its turn subject to availability of vacancies for compassionate appointment quota. This letter was issued on 3.8.1994. The widow of the deceased Government employee also expired on 31.1.1995. It is stated that the applicant in the present O.A. moved the respondents for his compassionate appointment, and he was advised by the letter of the respondents at Annexure A-1 that he should apply for compassionate appointment on his attaining the age of 18 years. The learned counsel for the applicant submits that such application was made subsequently along with copy of School Leaving Certificate. This was not considered by the respondents apparently because from the School Leaving Certificate the date of birth appears to be as 7.9.1978. Consequently, the applicant made another representation which is dated Nil and is annexed as Annexure A-2 to the O.A. in which it has been pointed out that according to the birth certificate obtained from N.D.M.C. his date of birth is actually 7.9.1977 and not 7.9.1978, and with this information the applicant has sought compassionate appointment again. It is at this

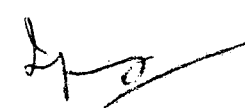
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stage this O.A. has been filed by the applicant with a prayer to direct the respondents to consider his case for appointment.

2. The respondents in their short reply have averred that the applicant has not attained the age of 18 years. The learned counsel for the respondents, however, has not referred to the representation at Annexure A-2 of the applicant. They have also stated that there is no provision in the existing allotment rules ^{to the effect} that family of a deceased Government employee can retain the accommodation beyond the permissible period and that, therefore, the applicant's prayer for regularisation of the accommodation cannot be acceded to. The learned counsel for the respondents, however, fairly agrees ^{if} that such an application at Annexure A-2 has been received by the respondents, they ~~would~~ consider his case in accordance with law in the light of the averments made in the representation.

3. In the light of this, this application is disposed of finally with a direction to the respondents to consider the Annexure A-2 application of the applicant and pass suitable speaking orders thereon within a period of three months from the date of receipt of a copy of this order. No costs.


(K. Muthukumar)
Member (A)

/as/