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Central Administrative Tribunal  
Principal Bench: New Delhi

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OA No.1096/97

New Delhi, this the 2nd day of December, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)  
Hon'ble Shri K.Muthukumar, Member (A)

Jai Prakash s/o late Sh. Rohtash Kumar,  
D-5, Rouse Avenue Road,  
New Delhi. ....Applicant

(By Advocate: Shri T.S. Joseph)

Vs.

Union of India through its

1. Secretary,  
Ministry of Works & Housing,  
(Directorate of Printing)  
Nirman Bhawan, New Delhi.
2. The Director of Printing,  
Directorate of Printing,  
Nirman Bhawan, New Delhi.
3. The Assistant Manager (Admn.)  
Govt. of India Press,  
Minto Road, New Delhi. ...Respondents

(By Advocate: Shri R.P.Aggarwal)

O R D E R

Dr. Jose P. Verghese, Vice-Chairman (J)

The petitioner in this case is seeking the compassionate appointment for her third son in the place of her husband who died in harness which took place on 13.12.1992. The petitioner is also challenging the order of the respondents dated 9.5.1994 wherein the claim of the petitioner for compassionate appointment of her third son Shri Jai Prakash was said to have been carefully considered and rejected on the ground that the name of other two sons are still in the ration card and the petitioner had received pensionary benefits and as such the same is not a deserving case for compassionate ground.

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2. The petitioner on the other hand submitted that both the other two sons were married, having children and are living separately and as such the order passed on 9.5.1992 is not based on correct facts and the respondents are duty bound to consider the case of the petitioner's third son for compassionate appointment.

3. We have heard the arguments of both the sides and we find that there is a considerable delay after the actual demise of the petitioner's husband in the year 1992. But at the same time the respondents have rejected the claim, on the ground which may not be altogether genuine. It is also true that the compassionate appointments are to be made for the immediate relief to the family of the deceased, and whether such circumstances exist now after 5 years is also a ~~fact~~<sup>is</sup> to be borne in mind. The submission of the respondents<sup>is</sup> that there is a long queue of similar aspirants for compassionate appointment and due to introduction of advanced technology in the Govt. of India Press, reduction of staff is also being undertaken in public interest and after looking into the overall aspects of the cost, the case of the petitioner for compassionate appointment could not be reviewed at any cost.

4. Still, we would like to rely upon the good sense of the respondents and taking into consideration of all the submissions made both by the respondents as well as by the petitioner, the respondents may reconsider whether the present ~~one~~<sup>is</sup> is a fit case for compassionate appointment or not. In case the respondents find that it is a fit case

for compassionate appointment only then the same may be communicated to the petitioner. With this the OA is disposed of and no order as to costs.

(K. Muthukumar)  
Member (A)

(Dr. Jose P. Verghese)  
Vice Chairman (J)

\*Mittal\*