

Central Administrative Tribunal
Principal Bench

O.A.No.656/97
M.A.No.2541/97

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 7th day of January, 1998

Shri Bhaskar Chotani
s/o Shri S.K.Chotani(Ex.TGT)
15-E, DA Block
Ghanta Ghar Hari Nagar
New Delhi. ... Applicant,

(By Shri G.D.Bhandari, Advocate)

Vs.

1. Govt. of N.C.T. through
Chief Secretary
Delhi Administration
Old Secretariat
5, Sham Nath Marg
Delhi.
2. Director of Education
Directorate of Education
(Establishment I Branch)
Old Secretariat
5, Sham Nath Marg
Delhi.
3. The Director of Estates
Land & Building Department
Govt. of NCT
Vikas Bhawan
New Delhi.

... Respondents

(By Shri Raj Singh, Advocate)

O R D E R (Oral)

The applicant's father who worked as TGT Teacher in Technical Education, Directorate of Education, Delhi Administration, expired on 4.2.1996 due to Cancer. After the expiry of his father the applicant's mother made an application on 20.2.1996, Annexure-A5 for the compassionate appointment of the applicant who had passed I.T.I. Diploma of two years duration in Electrician Grade. The grievance of the applicant is that the respondents have rejected the request for compassionate appointment without considering the circumstances of the family and the indigent condition in which it had been placed. The

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applicant has come before this Tribunal to direct the respondents to consider his case for giving compassionate appointment and to regularise the quarter under occupation of the deceased family.

2. The respondents in reply have stated that the family has been paid a sum of Rs.3.59 lacs on account of terminal benefits. The widow has also been granted family pension of Rs.1,018/-. They also submit that the applicant is 30 years of age and being a well qualified electrician cannot be said to have been dependent upon the deceased Government servant. They have also stated that the plea of the mother of the applicant is that she had spent Rs.1.5 lacs on the treatment of her husband which has not been established as the applicant submitted cash memos of only Rs.9605/- in support of this claim.

3. I have heard the learned counsel for the applicant who has drawn my attention to the impugned orders, Annexure A-1 and A3 whereby the respondents have rejected the application for appointment on compassionate ground and also rejected the representation for reconsideration of his request. Both these Memorandums are in absolutely bald terms giving no reasons whatsoever for rejecting the representation or the request for reconsideration. I note that the respondents state in their reply that the applicant had been asked to furnish the particulars of having spent Rs.1.5 lacs on the treatment of his father. However, there is no mention of this ground in the impugned orders. It would appear on the face of it that proper consideration has not been given to the application for reconsideration of the case of the applicant for compassionate appointment. Accordingly, I deem it proper that the respondents be asked to give proper consideration to the request. The applicant has also referred to the case of another person Navin Pathak in the MA No.2541/97 which should also be taken into

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account by the respondents while deciding the case of the applicant. The OA is accordingly disposed of with a direction to the respondents to reconsider the case, giving the applicant an opportunity to present the documents as may be required. This may be done within two months from the date of receipt of a copy of this order. The representation of the applicant will be disposed of by a reasoned speaking order.

OA is disposed of as above. No costs.

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R. K. Ahooia
(R. K. AHOOIA)
MEMBER(A)

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