

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A.NO.2329/94

(3)

New Delhi, this the 24th day of January, 1995

Hon'ble Shri J.P. Sharma, Member (J)

1. Smt. Jagwati Devi,
w/o late Shri Salekh Chand Singh,
r/o Village Pali
P.O. Baghpat,
District Meerut
2. Shri Anand Singh,
s/o late Shri Salekh Chand Singh,
r/o Village Pali
P.O. Baghpat,
District Meerut.

... Applicants

By Advocate: Shri Malik B.D. Thareja

Vs.

1. Union of India
through the Secretary,
Ministry of Defence,
South Block, New Delhi.
2. Ordnance Factory Board,
IOA, Auckland Road, Calcutta.
3. The General Manager,
Ordnance Factory Murad Nagar,
District Ghaziabad.

... Respondents

By Advocate: Shri V.S.R. Krishna

ORDER (ORAL)

Late Shri Salekh Chand Singh was employed with respondents Ordnance Factory, Murad Nagar and he died in harness. One of his sons Anand Singh applied for being given assistance in appointment on compassionate grounds but when this application was filed in October, 1994, the respondents have not disposed of that application.

The employee died sometimes in 1990. Now the respondents have given a reply during the pendency of this application on 27.12.94.

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2. Shri Malik B.D.Thareja appears for the applicant and Shri V.S.R.Krishna appears for the respondents. Since the respondents have taken a number of grounds on which the compassionate appointment is not being given to Shri Anand Singh so the applicant has to challenge that order taking specific plea if so advised that the order not granting compassionate appointment either not according to law or does not satisfy the condition of the O.M. issued by the DOFT for giving compassionate appointment to the ward of the deceased employee. Though the respondents have filed the reply but that is not on record.

3. Since the learned counsel for the applicant wants to challenge the order not granting compassionate appointment dated 27.12.94 so he wants to withdraw this application with liberty to file a fresh application on the same cause of action assailing the impugned order passed during the pendency of this application.

4. In view of this fact, the present application is being disposed of as withdrawn with liberty to the applicant to assail the order dated 27.12.94 not granting assistance in compassionate appointment to the ward of the deceased employee Anand Singh.
Order accordingly.

Sharma
(J.P. SHARMA)
MEMBER (J)

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