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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.NO.2211/2000

New Delhi, this the 30th day of October, 2000

HON'BLE MR. S.A.T. RIZVI, MEMBER (ADMNV.)

Shri Bhag Pal, S/O Shri Lala Ram,
D-1/A/72, Janak Puri, New Delhi.

.....Applicant

(By Advocate: Sh. P.M.Ahlawat)

VERSUS

1. Union of India, through the Secretary to the Govt. of India, Ministry of Defence, South Block, New Delhi-1.
 2. The Engineer-in-Chief, Army Headquarters, Kashmir House, DHQ, PO, New Delhi-1.
 3. The Chief Engineer (MES), Ministry of Defence, Western Command, Chandimandir - 134 107.
 4. The Chief Engineer (MES), Ministry of Defence, Delhi Zone, Delhi Cantt.10.
- ...Respondents.

O R D E R (ORAL)

Heard the learned counsel for the applicant.

2. The applicant is one of the three sons left behind by the deceased employee who died in harness on 19.2.95, i.e., nearly 5 years ago. The name of the applicant, Bhag Pal has been sponsored by the widow for employment on compassionate ground in preference over the other two sons. I presumed that she has every right to do so and the respondents cannot really object the nomination of Bhag Pal instead of any of the other two brothers. It is seen from the papers placed on record by the applicant that the applicant was indeed selected against one of the three posts sanctioned for compassionate appointment but the respondents have not issued a proper appointment letter so far and have, in

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the meantime, been pursuing certain clarifications in respect of the employment of the other two brothers. From the letter of the applicant dated 26.8.98 (Annexure A-6) placed on record, it would seem that the applicant has already filed affidavits of his other brothers duly signed by the Village Surpanch and attested by the Executive Magistrate showing that the other two brothers remained unemployed. In normal course, these affidavits should have been enough for the satisfaction of the respondents. However, they are free to examine the proposal and reach a decision to their satisfaction in accordance with the guide-lines on the subject. Since a period of nearly five years ^{has} ~~have~~ already elapsed, the respondents cannot ~~be~~ allowed to hold on indefinitely and delay a positive response in the matter. This OA is accordingly disposed of with a direction to the respondents to consider the case of the applicant in the light of the observations made above and having regard to whatever has been stated by the applicant in the OA and take a final decision in a fair and just manner within a period of two months from the date of receipt of a copy of this order.

3. The OA is disposed of at the admission stage itself, without any order as to costs, *with directions as above.*

4. Registry is directed to send ^a ~~the~~ copy of the OA to the respondents alongwith a copy of this order.

S. A. T. Rizvi

(S.A.T. RIZVI)
Member (A)

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