

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/1134/2020

This the 1st day of December, 2020

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)**

Mohd Imtyaz, Age 30 years, S/o Late Farooq Ahmed, R/o Village-Changa, Tehsil Bhalessa (Gandoh) District-Doda

.....Applicant

(Advocate: Mr. N.D. Qazi)

Versus

1. Union Territory of Jammu and Kashmir through its Commissioner/Secretary Public Health Engineering Department, Civil Secretariat, Jammu/Srinagar Pin 180001.
2. Chief Engineer, Public Health Engineering Department, Jammu, Pin 180003.
3. Superintending Engineer, PHE Mech. Hydraulic Circle, Udhampur Pin 182202.
4. Executive Engineer, PWD, Special Sub Division, Gandoh-182203.

.....Respondents

(Advocate: Mr. Amit Gupta, A.A.G.)

ORDER

[ORAL]

DELIVERED BY HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)

The O.A. has been filed by the applicant seeking following reliefs :

- “8.(i) Commanding upon the respondents to consider and appoint the applicant for compassionate appointment under SRO-43 of 1994 on account of death of his father who died while in active service on 30.03.2019, within some time frame.
- (ii) Commanding upon the respondents be burdened with exemplary costs for having delaying appointment to the applicant and for the hardship and harassment faced by the applicant on account of the facts of omission and commission on the part of the respondents.
- (iii) Any other interim or final relief which the Hon'ble Tribunal may deem fit and appropriate in the peculiar facts and circumstances of the case.”

2. During the course of arguments, learned counsel for the applicant submitted that the applicant had filed an representation dated 01.05.2019 which is still pending. Now learned counsel for applicant seeks that respondents may be directed to consider the case of applicant for appointment on compassionate ground in the department. He further submitted that he will be satisfied if a direction is given to respondents/competent authority to consider the case of applicant for appointment on compassionate ground by passing a reasoned and speaking order within a stipulated period of time.

3. Looking to the limited prayer made by learned counsel for the applicant, O.A is disposed of at the admission stage itself with a direction to the respondents/competent authority to consider the case of applicant for appointment on compassionate ground by passing a reasoned and speaking order, in accordance with rules within a period of one month from the date of receipt of a certified copy of this order with intimation to the applicant. No costs.

4. It is made clear that we have not expressed any opinion on the merits of the case.

(MOHD. JAMSHED)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

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