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**Central Administrative Tribunal
Principal Bench**

OA-1255/2004

New Delhi this the 4th day of January, 2005.

Hon'ble Shri Shanker Raju, Member(J)

Shri Chetan Prakash,
S/o late Sh. Nihal Chand,
R/o H.No. 153, Lodi Road
Complex, New Delhi-3.

..... **Applicant**

(through Dr. M.P. Raju, Advocate)

Versus

1. Union of India through
the Secretary,
Ministry of Science & Technology,
Government of India,
Technology Bhawan,
New Delhi.

2. Dy. Director General Meteorology
Office of the Deputy Director
General of Meteorology
(Upperair Instruments)
Lodi Road, New Delhi-3. **Respondents**

(through Ms. Promila Safaya, Advocate)

Order (Oral)

Heard the learned counsel.

(R)

2. The case of the applicant for compassionate appointment was turned down basically on the ground that as per the DOP&T O.M. dated 03.12.1999, as the vacancy was not available for compassionate appointment within a year, the claim of the applicant cannot be acceded to.

3. In the light of OM dated 5.5.2003, which has been issued in modification of the OM dated 3.12.1999, wherein further consideration and carry forward for three years has been stipulated to the review committee.

4. In this view of the matter and on perusal of the record and after hearing the learned counsel, I find that the aforesaid OM dated 5.5.2003, which is obligatory upon the respondents to follow, has not been considered. Accordingly, the original application is disposed of with a direction to the respondents to review the case of the applicant in the light of OM dated 5.5.2003 meticulously going through various conditions including indigent condition of the family, and pass a reasoned, detailed and speaking order within a period of two months from the date of receipt of a copy of this order. No costs.

S. Raju
(Shanker Raju)
Member (J)