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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.284/2004

New Delhi this the 5th day of February, 2004

'Hon'ble Shri S.K.Naik, Member (A)

Shri Vijay Kumar Rana,
S/O late Shri Telu Ram,
R/O House No.3539, Gali No.3,
Shanti Mohalla, Gandhi Nagar,
Delhi-110031

...Applicant
(By Advocate Shri T.D.Yadav)

VERSUS

1. Union of India, through Secretary,
Ministry of Human Resources Development,
Shastri Bhawan, New Delhi.
2. Kendriya Vidyalaya Sangathan,
Through Commissioner/ Deputy
Commissioner (Admn.), 18,
Institutional Area, Shahid Jeet
Singh Marg, New Delhi-110016

...Respondents

O R D E R (ORAL)

Hon'ble Shri S.K.Naik, Member (A)

Shri T.D.Yadav, learned counsel for the applicant contends that the applicant, Shri V.K.Rana is seeking compassionate appointment on the death of his mother who has expired on 22.11.2000. He claims that the applicant had approached for compassionate appointment before the respondents on 5.1.2001 and after filing a series of representations, now it has been rejected by the respondents stating therein that there is no vacancy for appointment to the post of Group 'D' employee on compassionate grounds. Learned counsel contends that the respondents could not take the plea of non-availability of vacancies to reject the request of the applicant for compassionate appointment.

Shrikant

Learned counsel contends that even ^{if} there ~~may~~ be no vacancy, he prays that his name should be included in the waiting list.

2. I have carefully considered the pleadings and the arguments advanced by the learned counsel. The scheme of compassionate appointment does not provide for any waiting list to be kept as open ^{ended} ~~indeed~~ provision to get appointed as and when vacancies arose. In view of the categorical assertion in their letter that they have no vacancy for appointment to the post of Group 'D' employee on compassionate grounds, I prima facie do not find any good grounds to issue any notice. Accordingly, the OA is dismissed in limine.

Naik
(S.K. Naik)
Member (A)

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