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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.No.1886/2004

Friday, this the 6th day of August, 2004

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

Shri Vikas Kumar Sharma  
s/o late Shri Vinod Kumar Babu Lal  
Ex-Chowkidar, Govt. Boys Middle School  
Sarai Kale Khan, Directorate of Education  
Govt. of NCT Delhi  
R/o Qr/D-465, Kidwai Nagar (East)  
New Delhi-23

...Applicant

(By Advocate: Shri B. Kishan)

Versus

1. The Chief Secretary  
Govt. of NCT of Delhi  
(Services Department)  
Delhi Secretariat, Indraprastha Estate  
New Delhi-2
2. The Director of Education  
Directorate of Education  
Govt. of NCT of Delhi  
Old Secretariat, Delhi-54
3. The Deputy Director of Education (Admn.)  
Directorate of Education  
Room No.211-D, Old Secretariat  
Delhi-54
4. Smt. Parvesh Sharma  
widow of late Shri Vinod Kumar  
R/o 3709, Gali No.8, Narang Colony  
Tri Nagar, New Delhi

..Respondents

O R D E R (ORAL)

Heard the learned for applicant. The main thrust of his argument is that the case of the applicant was at an advance stage of consideration for appointment on compassionate grounds and his application was duly forwarded for the purpose by the Deputy Director of Education. He further contends that a 'no objection affidavit' from his mother had been submitted before the respondents on 24.3.2003. However, after processing his application at some length, the respondents now vide

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Annexure A-1 have again passed an order asking him to furnish the affidavit within fifteen days failing which it has been stated that his case for compassionate appointment will not be considered and in the absence of the affidavit, his mother's case for compassionate appointment will be processed further. Learned counsel has argued for a notice to be given to the respondents as he apprehends that the respondents have now changed their earlier stand for some unknown reasons.

2. I find that the respondents vide Annexure A-1 have only asked the applicant to furnish the affidavit from his mother stating therein that she would have no objection to the appointment of his son - the applicant - for appointment on compassionate grounds. In the representation dated 21.4.2003, I notice that the applicant has not stated that he indeed had submitted an affidavit from his mother.

3. Under the circumstances, the ends of justice would be duly met if the applicant submits a self-contained representation before the respondents within a period of two weeks from today, who thereafter will consider the same within a period of two months from the date of receipt of a representation and pass a reasoned and speaking order with a copy to the applicant. I order accordingly.

4. With this, OA is disposed of.

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

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