

(X)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

Regn.No. OA 914/1992

Date of decision: 27.08.1993

Shri Vivek Srivastava

...Petitioner

Versus

The Director of Printing,  
Min. of Urban Development & Anr. ...Respondents

For the Petitioner ..Shri D.R. Gupta, Counsel

For the Respondents ..Ms. Jasvinder Kaur, Counsel  
for Sh. Jog Singh, Counsel

CORAM:

THE HON'BLE MR. JUSTICE S.K. DHAON, VICE CHAIRMAN  
THE HON'BLE MR. B.N. DHOUNDIYAL, MEMBER (A)

JUDGEMENT(ORAL)

( By Hon'ble Mr. Justice S.K.  
Dhaon, Vice Chairman)

The petitioner challenges the legality of the order dated 01.01.1992 passed by Assistant Director stating therein that it will not be possible to accede to the petitioner's request to appoint him on compassionate grounds.

2. A counter-affidavit has been filed on behalf of the respondents.

3. Learned counsel for the respondents has stated at the Bar that a list has been prepared by the respondents for the purpose of offering appointment on compassionate grounds. In that list, the petitioner has been placed at S.No.76. Appointments are being made from the list as and when vacancy occurs. The

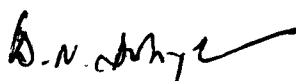
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petitioner will be considered for appointment and if possible given an appointment when his turn comes. In view of this statement, the impugned order has lost its efficacy. In spite of the impugned order, the respondents have now taken the stand that it is possible to consider the case of the petitioner to give him an appointment on compassionate grounds. The impugned order, therefore, shall be ignored for all purposes.

4. The respondents shall strictly abide by the statement made by their counsel at the Bar till the case of the petitioner is considered on merits and in accordance with law and he is given an appointment on compassionate grounds. <sup>sm</sup> ~~and~~ <sup>will</sup> final order <sup>are</sup> passed, ~~therein~~, the petitioner will not be evicted from the accommodation under his occupation. However, we make it clear that the petitioner would be liable to <sup>y</sup> ~~ejectment~~ on ~~the~~ expiry of 2 years from 30.03.92, in any event.

5. With these directions, this application is disposed of finally but without any order as to costs.

  
(B.N. DHOUNDIYAL)  
MEMBER (A)  
27.08.1993

  
(S.K. DHAON)  
VICE CHAIRMAN  
27.08.1993

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