

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD.

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Diary No. 6143/99

In

O.A. No. 513 of 2001-

this the 20th day of April 2001.

HON'BLE MR. RAFIQ UDDIN, MEMBER (J)

Omkar, S/o late Sri Premraj, R/o Village Mahiuddinpur
hisali Post Office Murad Nagar Tehsil Modinagar, District
Ghaziabad.

Applicant.

By Advocate : Sri L.M. Singh for Sri J.S. Kashyap.

Versus.

Union of India through Secretary, Ministry of Defence,
New Delhi.

2. Communication 510 Army Base Workshop,
Meerut.

3. Director General of E.M.E.M. G.O.S.
Branch, Army Headquarter, D.H.E. Post Office, New Delhi.

Respondents.

By Advocate: None.

ORDER (ORAL)

This O.A. has been filed by Omkar, who is
son of late Sri Premraj, who was working as Moulder (Mate)
died on 8.9.95, in harness, for appointment on compassionate
grounds. The applicant has also sought quashing of the
impugned orders dated 11.2.99, 19.5.99 and 14.6.99
respectively.

2. I have heard the learned counsel for the
parties and have perused the pleading on record.

3. It transpires from the perusal of the

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impugned letter dated 14.6.99 (Annexure-6) sent by the respondent no.3 to the advocate of the applicant that the claim of the applicant for appointment on compassionate grounds has been rejected because there is no provision of reservation for SC/ST/OBC category in the compassionate appointment scheme. Since the applicant belongs to Scheduled caste category, it is further stated that the Board of officers examined the documents of the applicant in the light of the DOP&T OM dated 9.10.98. It is stated that the case of the applicant was considered taking-into-account the various factors like size of family, presence of an earning member, terminal benefits granted under various schemes, liabilities, pension, movable/immovable property and annual income thereof duly verified by the civil/police authorities. It is also stated that only 5% vacancies are available for appointment on compassionate grounds. The learned counsel for the applicant has, however, contended that the respondents have not disclosed the details of various factors alleged to have been considered by the respondents, while examining the case of the applicant for compassionate appointment. I also find that it is necessary to the respondents to disclose the details of various factors in this order like size of family, presence of an earning member, terminal benefits granted under various schemes, liabilities, pension, moveable/immovable property and annual income of the family. In this respect, the order is very vague and it is not possible to appreciate the case of the respondents in the absence of full details of various factors mentioned in the letter. The O.A. is, therefore, disposed of at admission stage itself with the direction to the respondent no.3 to consider the claim of the applicant afresh within a period of three months from the date of communication of this order. The impugned orders dated 11.2.99, 19.5.99 and 14.6.99 are accordingly quashed.

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4. It is also provided that incase the claim of the applicant is rejected, the respondents would pass an appropriate orders giving all the relevant details.

5. The O.A. stands disposed of as above, with no order as to costs.

Ran'jesh
MEMBER (J)

GIRISH/-