

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,

ALLAHABAD.

....

Original Application No. 978 of 2001

this the 9th day of August 2001.

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

Puneet Kumar, S/o late Atm Prakash, R/o 432, Meerapur,
Punjabi Colony, Allahabad.

Applicant.

By Advocate : Sri P. Srivastava for Sri R.P. Shukla.

Versus.

1. Union of India through the Secretary, Ministry of Defence, New Delhi.
2. Central Command, Lucknow.
3. Commandant, Ordnance Depot Fort, Allahabad.

Respondents.

By Advocate : None.

O R D E R (ORAL)

By means of this O.A., the applicant seeks directions to be issued to the respondents to give employment on suitable post on compassionate grounds and also to quash the impugned order dated 7.3.2000 (Annexure-1 to the O.A.).

2. The father of the applicant late Sri Atm Prakash was a permanent employee of the respondent no.3, who died in harness on 21.2.1997 leaving behind his widow two children namely the applicant (son) and Km. Jyotsana (daughter). After the death of father, the mother of the applicant had submitted an application to the respondent no.3 to provide compassionate appointment to her son, which was rejected by order dated 23.4.1999. The second application submitted by the applicant on 22.6.1999 which was rejected vide order dated 7.3.2000

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by the respondent no. 3 with the remark that the same could not find its place because of more deserving candidates and limited number of vacancies. However, the applicant was also advised that incase he is still in need of employment, he should submit fresh application so that the same could be considered by the Board of Officers. The form of the application was also sent with this rejection order for filing-up the same latest by 30th March' 2000. The applicant accordingly submitted the said application afresh on 28.3.2000, a copy of which has been annexed as Annexure no. 8 to the O.A. According to the applicant, the same is still pending and the respondent no. 3 advertised the number of vacancies for different posts which was published in the daily News paper 'Danik Jagran'. The learned counsel for the applicant contends that since the vacancies are available, directions may be issued to the respondent no. 3 to consider the pending application of the applicant for appointment on compassionate grounds. Since the application for appointment on compassionate grounds is still pending with the respondent no. 3 and earlier the same was rejected for want of vacancy and father of the applicant was also holding a class III post, it is appropriate to direct the respondent no. 3 to consider the application of the applicant dated 28.3.2000 afresh in the light of the charged circumstances regarding availability of post.

3. The O.A. is accordingly disposed of with the direction to the respondent no. 3 to consider and pass appropriate orders on the application submitted by the applicant on 28.3.2000. There shall be no order as to costs.

R. J. M.
MEMBER (J)

GIRISH/-