

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.**

ORIGINAL APPLICATION NO. 462 OF 2004.

THIS THE 21st DAY OF OCTOBER, 2005.

HON'BLE MR. K.B.S. RAJAN, MEMBER-J

Mohd. Naeem, Aged about 25 years, S/o late Ilhai Baksh, earlier residing at G-II-84 Armapur Estate Kanpur, presently at house no. 64, Lal Kurti Bazar, Cantt., Faizabad.

Applicant.

By Advocate: Sri G.D. Mukherjee

Versus.

1. Union of India through the Secretary, Ministry of Defence, South Block, New Delhi.
2. General Manager, Small Arms Factory, Armapur Estate, Kanpur.

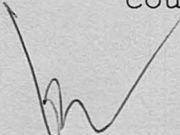
.....Respondents

By Advocate: Sri N.C. Tripathi

ORDER

The applicant has preferred this O.A. praying for an order directing the respondents to consider his case for compassionate appointment.

2. Applicant's father a permanent Government servant died on 23.12.99 and the widow of the deceased Govt. servant made an application for compassionate appointment in respect of one of her sons. This application of the 7.2.2000 was stated to have been considered, but in view of the fact that more deserving cases were in que, the appointment could not be given.



3. The applicant submits that the family of the deceased consists of three sons, two surviving daughters and one female child of pre-deceased daughter. There is no other income save the family pension, which also would be terminated in 2009. The family has 300 sq. fit dimension house in Faizabad which does not fit in any rental income. The family is in indigent condition and the applicant prays for his compassionate appointment on the aforesaid grounds.

4. The respondents, on the other hand, contend that as per the service record, the family details consists of only widow three sons and none else (at present widow also is no more). According to the respondents, the case of the applicant was considered and the points allotted on the basis of various criteria came to 46 whereas persons with points 50 and above are still in the waiting list. It has been stated by the counsel for the respondents that so far the case the applicant has been considered once.

5. Under the existing rules, governing grant of compassionate appointment, the application ought to be considered on three occasions and the decision taken on comparing with other applications. In the instant case, since only once the case of the applicant was considered, it would be appropriate to have the case consider again in the next meeting and



in this regard if any limitation has been prescribed for consideration, the same shall be waived. The respondents may consider the case of the applicant and on the basis of the recommendations of the Committee communicate the applicant the decision arrived at. For the purpose of transparency, they may indicate the points is the applicant had secured and in case the applicant is not offered the appointment, they may also reflect the points of to which the appointment was granted.

6. The O.A. is disposed of on the above terms. The respondents may complete the above drill as early as possible not lateron within a period of six months from the date of communication of this order and keep the applicant posted of the development. No costs.



MEMBER-J

Girish/-