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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHBAD BENCH  
ALLAHABAD

Dated: this the 13<sup>th</sup> day of OCTOBER 2008

Original Application No.1114 of 2005

Hon'ble Mr. A.K. Gaur, Member (J)

1. Ashok Kumar, S/o late Prem Lal.

2. Smt. Savitri, W/o late Prem Lal

(Prem Lal posted L.H.F/Former Brigadier, Field Gun Factory, Kanpur)

Both resident of Q. No. N.T-II, 150 Armapur Estate Kanpur.

...Applicants

By Adv : Shri K.K. Tripathi

Versus

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

2. Addl. Director General, Ordnance Factory Board, 10-! S.K. Bose Road, Calcutta.

3. Senior General Manager, Ordnance Factory, Kanpur Nagar.

4. General Manager, Ordnance Factory, Kanpur.

...Respondents.

By Adv : Sri A. Dwivedi

O R D E R

Heard Shri D.P.S. Yadav, brief holder of Shri K.K. Tripathi, learned counsel for the applicant and Shri Anil Dwivedi, learned counsel for the respondents.

2. The father of the applicant while working in the office of respondent No. 4 died on 10.08.2002. The

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(IV)

applicant has claimed for compassionate appointment. According to the applicant his case was recommended by the respondents on 10.12.2004. Copy of the same has been annexed as Annexure A-10. The applicant has also prayed for quashing of the order dated 30.11.2004 (Annexure A-1).

3. Having heard parties counsel I am satisfied that this OA is not maintainable with regard to relief No. 1 in view of Hon'ble Supreme Court decision rendered in case of ***Union of India and others Vs. Rasiala Ram*** : ***(2001) 10 SCC 623***. As regard the relief claimed for compassionate appointment I hereby direct the competent authority to decide the pending representation of the applicant a fresh in the light of recommendation dated 10.12.2004 by a reasoned and speaking order within a period of three months from the date of receipt of copy of this order.

4. In view of the above the OA is disposed of. No cost.

*Anil Gaur*  
(A.K. Gaur)  
Member J

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