

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

PRESENT:

HON'BLE MR. JUSTICE A.K. YOG, MEMBER-J

Allahabad this the 29th day of January, 2009

ORIGINAL APPLICATION NO. 1223 OF 2005

Ajay Kumar Mazumdar, S/o late A.K. Mazumdar, R/o 488
EWS Colony, ADA Neem Sarai, Allahabad

...Applicant.

By Advocate : Sri N.P. Singh.

Versus

1. Union of India through Secretary, Ministry of Defence, North Block, New Delhi.
2. AOC In Chief, Headquarters 29 Wing Air Force Station, Bamrauli, Allahabad.
3. Group Captain, OIC PC 29 Wings, Air Force Station, Bamrauli, Allahabad.
4. B.R. Sangwan, Group Captain OIC, PC, Air Force Station, Bamrauli, Allahabad.

.....Respondents.

By Advocate : Sri Saurabh Srivastava

O R D E R

Heard Sri N.P. Singh, Advocate (assisted by Sri Rajpal Singh, Advocate) and Sri Saurabh Srivastava, Advocate representing the applicant and the respondents respectively.

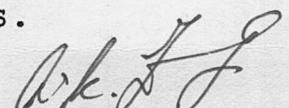
2. Applicant has filed present O.A. under Section 19, Administrative Tribunal Act, 1985 seeking impugned order dated 26.8.2005 passed by respondents authorities rejecting compassionate appointment claimed by the applicant.

Unx

3. Father of the applicant was engaged on the post of 'Luscar' Group 'D' post in respondents-department who died on 17.1.1999.

4. Impugned order gives categorical reasons. According to the impugned order, applicant has failed to come up within the prescribed eligibility field vis-à-vis other candidates within 5% direct recruitment quota reserved for compassionate appointment. These grounds/findings have not been challenged by the applicant in the present O.A.

4. In view of the above, I find no illegality in the impugned order passed by respondents. O.A. has no merit and is accordingly dismissed. No costs.



(Justice A.K. Yog)
Member-J

Girish/-