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Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD**

**Original Application No. 271 of 2005**

**Thursday this the 22<sup>nd</sup> day of November, 2007**

**Hon'ble Mr. K.S. Menon, Member (A)**

1. Panmati Devi, aged about 56 years, widow of Late Uttam Prasad Gupta, Ex. Accountant, RMS 'G' Division, Gorakhpur, resident of Village and Post Office-Chittakhal, District-Siwan (Bihar).
2. Satish Kumar Gupta, S/o Late Uttam Chand Gupta, R/o Village & Post-Chittakhal, District-Siwan (Bihar).

**Applicants**

**By Advocate Sri Anil Kumar**

**Versus**

1. Union of India through Secretary, Ministry of Communications, New Delhi.
2. Chief Post Master General, U.P. Circle, Lucknow.
3. Regional Post Master General, Gorakhpur.
4. Senior Superintendent, R.M.S. 'G' Division, Gorakhpur.

**Respondents**

**By Advocate Sri Saumitra Singh**

**O R D E R**

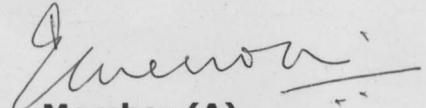
**By K.S. Menon, Member (A)**

This O.A. has been filed against the Order dated 14.05.2004 issued by respondent No. 4 by which claim of the applicant for compassionate appointment has been rejected. Learned counsel for the applicant states that taking into account the financial condition of the family and other liabilities of the family on the death of deceased employee, they have a very legitimate claim for grant of appointment on compassionate ground. The main contention is that compassionate appointment application does not appear to have been considered in accordance with rules and policies of the Government although it has been stated by the respondents that the same has been duly considered according to rules. This the learned counsel for the applicant states has not been considered in the impugned order dated 14.05.2004, which merely states that these aspects have been considered and the case has

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been rejected. I am in agreement with the submission made by learned counsel for the applicant that the respondents need to be more transparent and clearly indicate the various aspects that they have been taken into consideration in deciding the case of the applicant and bring out as to how his case has been rejected and on what ground. To that extent, I find that the impugned order is deficient of the required transparency. The impugned order dated 14.05.2004 is, therefore, set aside. It is seen that the applicant has also submitted a detailed representation on 28.06.2004 listing out all the aspects on which his case should have been considered. This has not elicited any response from the respondents.

2. The respondents are directed to consider the representation of the applicant dated 28.06.2004 and pass a very detailed and speaking order in accordance with the policies governing award of compassionate appointment and the instructions of D.O.P.T. vide their O.M. dated 09.10.1998 within a period of three months from the date of receipt of a copy of this order. The O.A. is accordingly disposed off with the aforesaid direction. No order as to costs.

  
Member (A)

/M.M/