



**Central Administrative Tribunal
Jammu Bench, Jammu**

**TA No.8734/2020
SWP No. 1616/2007**

This the 15th day of March, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Mohd. Shabir,
S/o Late Mohd Din,
R/o Village Seri Chawana,
Tehsil Haveli, Poonch,
Aged 32 years.

...Applicant

(By Advocate: None for the applicant)

VERSUS

1. State of Jammu & Kashmir,
Thorough Commissioner/Secretary,
Govt. Public Health Engineering Department,
New Secretariat,
Srinagar.
2. Chief Engineer,
Public Health Engineering Deptt.,
B.C. Road, Jammu.
3. Superintending Engineer,
Hydraulic Circle,
Poonch.
4. Executive Engineer,
Public Health Engineering Deptt.,
Division Poonch.

...Respondents

(By Advocate: Mr. Amit Gupta)

**ORDER (Oral)****Mr. Justice L. Narasimha Reddy:**

The father of the applicant was working as Khallasi in the Public Health Engineering (PHE) Department. He died on 07.04.2006 while in service. The applicant submitted an application on 01.05.2006 with a request of extend him, the benefit of compassionate appointment in terms of SRO 43 of 1994. His grievance is that no action has been taken thereon and he filed SWP No.1616/2007 before the Hon'ble High Court of Jammu and Kashmir with a prayer to direct the respondent to extend him the benefit.

2. The respondents filed a very short counter affidavit. They stated that the case of the applicant is under consideration at the relevant point of time.

3. This SWP has since been transferred to this Tribunal in view of the reorganisation of the State of Jammu and Kashmir and renumbered as TA No.8734/2020.



4. Today, there is no representation for the applicant. We heard Mr. Amit Gupta, learned Additional Advocate General and perused the record.

5. The SWP was filed in the year 2007. In a way, it was premature. The reason is that the death of the father of the applicant took place in the year 2006 and his case for consideration for compassionate appointment would take relative longer time. The vacancy must be available and the persons must await their turn. By the time the counter affidavit is filed, no final decision was taken.

6. We, therefore, dispose of the TA, directing that in case no final action has been taken on the application dated 01.05.2006 made by the applicant, by now, it shall be taken within two months from the date of receipt of a copy of this order. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/sunil/jyoti/vandana/ankit/