



**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**O.A. No. 2142/2021**

**this the 30<sup>th</sup> day of September, 2021**

(Through Video Conferencing)

**Hon'ble Mr. A.K. Bishnoi, Member (A)**  
**Hon'ble Mr. R.N. Singh, Member (J)**

Billu  
Aged about 35 years  
S/o Late Shri Fakirchand  
R/o-152, Subhan Pur  
Bagpat, Uttar Pradesh-250 101.

... Applicant

(By Advocate : Shri Anirudh Sharma)

**Versus**

The Management of East Delhi Municipal Corporation  
Through its' Commissioner (East)  
Udyog Sadan, 2<sup>nd</sup> Floor, Plot No.419  
Patparganj Industrial Area  
Delhi-110 092.

... Respondents

(By Advocate : Shri R.K. Jain)

**O R D E R (ORAL)**

**Hon'ble Mr. R.N. Singh, Member (J) :**

The averments made in the present OA are that the father of the applicant was a regular employee of EDMC and during such employment, he has expired unfortunately on 29.03.2010. The applicant was required to be considered for compassionate



appointment by the respondents. Though, the regular vacant post was there, however, the applicant is stated to have been considered and appointed on daily wage basis from 19.08.2011 by the respondents.

2. The grievance of the applicant is two fold that (i) initially itself the applicant should have been considered and appointed on regular basis which the respondents have not done and; (ii) subsequently that if for any valid reason the initial appointment was not done on regular basis, the respondents should have considered and have made that appointment regular, inasmuch as, the applicant is stated to have been working on daily wage basis on compassionate appointment against the regular post all along since 19.08.2011.

3. In the aforesaid background, the applicant has prayed for the following reliefs:-

"i. To allow present application and direct the Respondent Authority to consider the case of Applicant for regular/permanent appointment in Grade-IV post from his initial date of appointment as Daily Wages Safai Karamchari i.e., 19.08.2011 with all consequential benefits against 5% quota reserved for regular appointment on compassionate ground under the scheme issued by the Department of Personnel & Training Govt. Of India vide Office Memorandum F.No.14014/02/2012-Estt.(D), 16.01.2013, as his father died in harness during the course of her regular employment with the Respondent Authority:



ii. Further direct the Respondent to dispose of the representation of the applicant by giving benefits under 5% quota reserved for regular appointment on compassionate ground as scheme issued by the Department of Personnel & Training, Govt. Of India vide Office Memorandum (OM) F.No.14014/02/2012-Estt. (D), 16.01.2013, within the stipulated time frame as deems fit by this Hon'ble Tribunal, And/Or;

iii. Pass any further order(s) as this Hon'ble Tribunal may deems fit and proper for in the interest of justice."

4. For redressal of his grievances, the applicant is stated to have made various representation(s), the last being dated 08.04.2021 (Annexure-A/3).

5. Issue notice. Shri R.K. Jain, learned counsel who appears for the respondents on advance service, accepts notice.

6. In the facts and circumstances of the present case, learned counsel for the applicant submits that the present OA may be disposed of, at this very stage, with a direction to the respondents to consider the applicant's aforesaid pending representation(s) (Annexure-A/3) and to dispose of the same in a time bound manner.

7. We are of the considered view that if such request of learned counsel for the applicant is accepted, no prejudice is likely to be caused to the respondents.



8. In view of the aforesaid, without going into the merit of the case of the applicant, the present OA is disposed of with direction to the respondents to consider the applicant's aforesaid pending representation(s) (Annexure-A/3) and to dispose of the same by passing an appropriate reasoned and speaking order, as expeditiously as possible, and preferably within eight weeks from the date of receipt of a copy of this order.

9. The OA is disposed of in the aforesaid terms. There shall be no order as to costs.

**(R.N. Singh)**  
**Member (J)**

**(A.K. Bishnoi)**  
**Member (A)**

/uma/anjali/