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CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Original Application No: 1924 of 1993

K.B.Gupta Applicants.

Versus

U.O.I. & Ors. Respondents.

Hon'ble Mr. T.L.Verma, Member-J

This application has been filed for appointment on compassionate grounds. The facts of the case, as shortly stated are that Shri P.D.Gupta, father of the applicant was employed as U.D.C. in the employment of the Ministry of Defence. He died on 5.12.1992 in harness, as such the applicant filed an application (Annexure, A-1) on 18.12.1992 for his appointment on compassionate ground. The department, it is said, after conducting formal inquiry and observing certain necessary formalities, informed the applicant that since there is no vacancy available of L.D.C. against quota fixed for employment of dependants of the deceased Government Servant, his case shall be considered on his turn on vacancy being available.

2. The learned counsel for the applicant states that Supreme Court has, in the decision reported in A.I.R. 1989 Supreme Court page 468, has clearly laid down that in case of nonavailability of vacancy, supernumerary post be created and appointment on compassionate ground be made immediately. It was also submitted that following the decision of the Supreme Court referred to above, the Lucknow Bench

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of this Tribunal has issued a direction to the respondents in O.A. No. 82 of 1991 to give appointment to the applicant of that case commensurate to his qualification within a period of 6 months.

3. The facts of this case, it is stated, are similar to the case decided by the Supreme Court and also the case decided by Lucknow Bench of this Tribunal referred to above. I am, therefore, of the view that the respondents be directed to consider and dispose of the representation of the applicant for his appointment on compassionate ground in the light of Law laid down by the Supreme Court referred to above, by a reasoned and speaking order within three months.

4. In the result, this application is disposed of at admission stage with the above direction. There will be no order as to costs.

J. H. Sharma
Member-J

Allahabad Dated: 8.2.1994

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