

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO. 1224 OF 2002

TUESDAY, THIS THE 28TH DAY OF JANUARY, 2003

HON. MRS. MEERA CHHIBBER, MEMBER (J)

Anand Kumar Pal,
s/o Late Chhangoo Lal Pal,
r/o Village Umarpur Neewan,
Tahsil Chail,
Dist:- Kaushambi.Applicant.

(By Advocate:-Shri M.D.Mishra/R.P.Singh)

V E R S U S

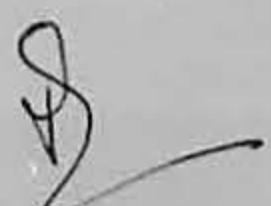
1. Union of India through Chief Secretary,
Ministry of Defence Govt. Of India,
New Delhi.
2. Chief Engineer, Head Quarters Commander
Works Engineer (A.F.) Bamrauli,
Allahabad.
3. Garrison Engineer, Engineer Park,
Allahabad. ...Respondents.

(By Advocate:-Shri R.C.Joshi)

O R D E R

HON. MRS. MEERA CHHIBBER, MEMBER (J)

The grievance of the applicant in this case is that his father Late Shri Chhangoo Lal Pal had died on 22-2-2001 ~~died~~ in harness and even though the applicant had applied for compassionate appointment and had given all the relevant documents as asked for by the respondents but till date he has not been given any appointment nor any reply has been given to him. He has further submitted that he is prepared to give all the documents to the respondents whatever they wish to see but only wants to ensure that the original documents given by him are kept in safe custody so that they do not



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get lost. Therefore he has submitted that whenever the respondents ask him, he shall show them the original documents for their perusal and verification.

2. The respondents, on the other hand, have stated that they have already asked the applicant to give his school certificate in original and the details of property and income certificate duly verified by the Civil Authorities in original vide their letter dated 25-11-2002 but till date applicant has not submitted the same. They have thus submitted that unless the applicant submits these documents, his case can not be verified nor can any final order be passed in the matter. Therefore, ^{the delay} is being caused because of non-cooperation of the applicant himself. According to them the D.A is premature at this stage and need to be dismissed on this ground itself.

3. I have heard both the counsel and perused the pleadings as well.

4. I do not see any reason why the applicant should have filed this D.A when both the parties state that they are willing to perform their part of obligation.

^{s/Counsel B}
The applicant ^{has} stated, he is willing to submit all the documents so ^{I have} respondents ^{have} stated that they are willing to consider the case of applicant provided they are given all the documents. I think such kind of litigation can always be avoided and ^{as} there is no need to file unnecessary litigation. However, in order to bring an end of this controversy I am disposing of this D.A by giving a direction to the respondents to give a list of all those documents which are required from

the applicant.

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the applicant to be submitted within one week and applicant is directed to submit all those documents in original within one week thereafter, so that the respondents may get the facts verified as per law and after considering all the aspects of the matter, they should pass a final and speaking order within a period of two months thereafter, under intimation to the applicant .

5. With the above directions, the O.A is finally disposed of.



Member (J)

Madhu/