

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

DIARY NUMBER 3522 of 2002

IN

ORIGINAL APPLICATION NUMBER 1338 OF 2002

FRIDAY, THIS THE 1st DAY OF NOVEMBER, 2002HON'BLE MRS. MEERA CHHIBBER, MEMBER (J)

1. Smt. Usha Nagar, aged about 58 years, widow of Late Shri K.K. Nagar, R/o 28/443, Chhatta Gali, Gokulpura, Agra.
2. Ajay Nagar, aged about 33 years, s/o Late Shri Kush Kumar Nagar, R/o 28/443, Chhatta Gali, Gokulpura, Agra.

....Applicants

Counsel for the Applicants Shri B.N. Singh/V.S. Kushwaha

V E R S U S

1. Union of India through its Secretary, Archaeological Survey of India, Ministry of Human Resources Development, Deptt. of Culture, Government of India, New Delhi.
2. The Director General, Archaeological Survey of India, Janpath, New Delhi.
3. The Superintending Archaeologist, Archaeologist Survey of India, Agra Circle, 22, The Mall Road, Agra.

....Respondents

Counsel for the Respondents Shri R.C. Joshi

O R D E RHon'ble Mrs. Meera Chhibber, Member (J)

The applicants have filed application for joining together, which is allowed as application has been filed by the widow & son of deceased employee. The registry is directed to give O.A. number.

2. This application has been filed by the applicants for challenging the order dated 05.07.2002 passed by the respondent No.3 whereby the request of the applicants for compassionate appointment has been rejected. The applicant has further sought a direction to the respondents to consider the case of the applicant no.2 for appointment on compassionate



....2/-

grounds. Counsel for the applicant has drawn my attention to the impugned order which is merely two lines order whereby the claim of the applicant has been rejected in a stereotypical manner without giving any reasons.

3. Learned counsel for the respondents has sought time to file Counter Affidavit, however, no purpose would be served by giving any time because the impugned order is absolutely non-speaking order which shows total non-application of mind. The Hon'ble Supreme Court has repeatedly held, whenever a representation is made to the authorities, they must pass a detailed and speaking order to enable the applicant to understand the reason as to why his request cannot be acceded to and also to put the matter at rest at their level. By passing stereotypical /mechanical orders, the respondents unnecessarily dragged to the Court as they do not even know the reasons for rejecting their claim. Accordingly, I quash the order dated 05.07.2002 and remit the matter back to the authorities to consider the applicant's and to pass a detailed and reasoned order within a period of 3 months from the date of receipt of a copy of this order. With above direction the O.A. is disposed of with no order as to costs.


Member (J)

shukla/-