

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD

Allahabad : Dated this 30th day of May, 2002.

Original Application No.637 of 2002.

CORAM :-

Hon'ble Mr. CS Chadha, A.M.

Bheem Prakash Son of Late Sri Inder Lal,  
Resident of Village-Chamandha Post-Bharwari,  
Tehsil-Sirathu, District Kaushambi.  
(Sri IS Singh, Advocate)

. . . . . Applicant

Versus

1. Union of India,  
Through Ministry of Defence,  
Ordnance Bhawan, New Delhi.
2. Asst. Chief Engineer (Works)  
For Chief Engineer,  
Lucknow Zone, Lucknow-02.
3. The Engineer-in-Chief, Branch,  
Army Headquarters, DHQ PD New Delhi-11
4. ACE Tech,  
Garrison Engineer(West)  
Allahabad.

(Sri E.D. Tripathi, Advocate)

. . . . . Respondents

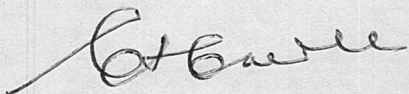
ORDER (O\_r\_a\_l)

By Hon'ble Mr. CS Chadha, A.M.

The case of the applicant is that compassionate appointment on the death of his father has been denied by the impugned order dated 27-3-2002. The said order was passed in compliance of the order of the C.A.T. Allahabad passed in OA No.1259/2001 on 12-11-2001 which had directed the respondents to pass a speaking order.



2. I have perused the said order and I find that detailed reasons have been given for refusing the compassionate appointment. Learned counsel for the applicant <sup>6</sup>pleads that the grounds given are not justifiable specifically because the deceased left behind several children including a marriageable daughter and the pension is not sufficient to look after the welfare of the family. I find from the impugned order that the basic pension of the family has been fixed at Rs.1275/- per month which also is paid with dearness allowance as applicable from time to time. Learned counsel for the applicant states that due to inflation this amount will be reduced to nothing but he has ignored the fact that the dearness allowance is given strictly in accordance with rise in dearness index. Further the family also received more than Rs.2 lacs as terminal benefits, the interest of which alone is also as good as pension. The family also has a house to live in and further landed property with a small income. I am unable to agree with the counsel that the respondents should have given details of 5% vacancies in the compassionate appointment quota and thereby prove that there was no vacancy. I am satisfied that a speaking order has been passed which is totally justified and there seems to be no valid reasons to interfere in the same. The DA is, therefore, rejected and dismissed at admission stage with no order as to costs.

  
Member (A)

Dube/