

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 27th day of July, 2004.

QUORUM : HON. MR. JUSTICE S.R. SINGH, V.C.

O.A. No. 253 of 2003

Awadh Naresh Varun S/O Late Chandoo Singh R/O Mohalla  
Subhash Nagar, Mandi Dhanaura, Tehsil and P.S. Dhanaura,  
District J.P. Nagar.....

.....Applicant.

Counsel for applicant : Sri P. Sinha.

Versus

1. Union of India through Secretary, Department of Post and Telegraph, Govt. of India, New Delhi.
2. Senior Superintendent Post Offices Moradabad, Division at Moradabad.
3. Chief Post Master General, U.P. Circle, Lucknow.
4. Post Master General, Bareilly Region at Bareilly.

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.....Respondents.

Counsel for respondents : Sri V.K. Pandey.

O R D E R (ORAL)

BY HON. MR. JUSTICE S.R. SINGH, V.C.

Heard Sri V.K. Pandey, learned counsel for the respondents and perused the pleadings.

2. The applicant's claim for compassionate appointment has been rejected by means of order dated 5.9.2002. It appears that applicant's father Sri Chandoo Singh, a Govt. servant, died in harness on 21.12.1998 while he was posted on the post of Post Master at Amroha, District Moradabad. <sup>Deceased was</sup> The family survived by his widow Smt. Santosh Devi besides three sons <sup>persons</sup> namely Jagdish Bahadur Varun, aged 42 years, Prem Jeet Rao, Ajai Pratap Singh, aged 14 years, both minors and two unmarried daughters namely Rakha, aged 22 years and Alka, aged 15 years. Premjeet Rao, it is alleged, was killed leaving behind his wife Shanti Devi and a minor son Gyanendra Pratap Singh. It is alleged that soon after the death of Chandoo Singh, Smt. Santosh Devi, mother of the

*Regd*

applicant moved an application praying for compassionate appointment for the applicant. The case of the applicant for compassionate appointment, it appears, was considered by the relevant Committee and by order impugned herein his claim has been rejected on the ground that in comparison to other claimants he was not found fit as there were more deserving cases on compassionate appointment. While rejecting the applicant's claim for compassionate appointment, the respondents have taken into consideration the family pension @ Rs.3350/- p.m. + usual Dearness Allowance thereon as also certain agricultural land measuring .223 Hec. owned by the family besides a residential house as also the fact that one of the sons of the deceased is employed on the post of SPM. The order impugned herein, however, does not disclose the comparative merits of the ~~other~~ <sup>✓</sup> candidates considered along with applicant so as to enable the Tribunal to judge the correctness of the order impugned herein. In my opinion, the competent authority ought to have disclosed the comparative merits of the applicant vis-a-vis other candidates who were considered by the committee, ~~in comparison~~ <sup>✓</sup> ~~to claim of the applicant for compassionate appointment by~~ <sup>✓</sup> ~~the Committee.~~ In my opinion, therefore, the order impugned herein is liable to be quashed with a direction to the respondents to pass a fresh order disclosing therein the comparative merits <sup>✓ and Demerit ✓</sup> of the candidates who were considered for compassionate appointment along with the applicant.

3. Accordingly, the O.A. succeeds and is allowed. The impugned order dated 5.9.2002 is set aside. The competent authority is directed to pass a fresh order disclosing therein the comparative merits <sup>✓ and Demerit ✓</sup> of the candidates, who were considered along with the applicant. Decision in this regard may be taken within a period of one month from the date of receipt of a copy of this order.

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V.C.

Asthana/