

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 836 OF 2003

FRIDAY, THIS THE 14th DAY OF NOVEMBER, 2003

HON'BLE MRS. MEERA CHHIBBER, J.M.

Ajay Kumar Singh,
son of late Pramod Kumar Singh,
Resident of 46, Karnalganj,
Fatehgarh Cantt. Farrukhabad.

..... Applicant

(By Advocate : Shri Tej Singh-Absent)

V E R S U S

1. Union of India through its Secretary, H.R.D. Ministry, New Delhi.
2. Commissioner, Kendriya Vidyalaya Sangathan, 18, Industrial Area, Saheed Jeet Singh Marg, New Delhi.
3. Assistant Commissioner, Kendriya Vidyalaya Sangathan, Sector-J, Aliganj, Lucknow.

..... Respondents

(By Advocate : Shri D.P. Singh)

O R D E R

By this O.A. applicant has sought the following reliefs:-

- "(i) to issue a suitable order or direction directing the respondents to give appointment to the petitioner on compassionate grounds under the Dying in harness Rules according to his qualifications;
- (ii) to issue any other such order or direction, which may deemed fit and proper under the circumstances of the case;
- (iii) Award costs to the applicant."



2. It is submitted by the applicant that father of the applicant Shri Pramod Kumar Singh was working as T.G.T. in Kendriya Vidyalaya R.C. Fatehgarh who died due to heart attack on 24.12.1993 when applicant was only minor studying in Class XII. On 28.11.2002, the applicant's mother gave an application to respondent No.2 for giving compassionate appointment to the applicant stating therein that now he has become major and as such he may be given compassionate appointment (Annexure-2). The case was recommended by the Principal of the College. Thereafter even legal notice was served on the respondents and applicant has passed B.A. Part-I but till date nothing has been done by the respondents. He has submitted that when the applicant's father died, he left two sons and daughters, out of which the applicant is the eldest one and there is no earning member in the family. They have no source of livelihood, therefore, they are ^{at} the verge of starvation. However, since respondents have not even considered the case of the applicant, he has no other option but to file the present O.A.

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

4. Counsel for the respondents was seeking time to file reply. However, since grievance of the applicant is that respondents have not ^{even} _{considered} his case so far, it would be better to dispose of this O.A. by giving a direction to the respondents to consider the case of the applicant in accordance



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with law and instructions on the subject and on verifying the
relevant factors, ~~for~~ ^{to pass} a reasoned and speaking order as to whether
the applicant is fit for grant of compassionate appointment or
not. This exercise shall be completed within 3 months from the
date of receipt of a copy of this order under intimation to the
applicant.

5. With the above direction, this O.A. is disposed off at
the admission stage itself with no order as to costs.



Member-J

shukla/-