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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Dated: This the 26<sup>rd</sup> day of SEPTEMBER 2006.

Original Application No. 1059 of 2006

Hon'ble Mr. K. Elango, Member (J)

Smt. Kaushalya, W/o late Rajesh Kumar,  
R/o 447/2, Mission Compound, Gwalior Road,  
JHANSI.

. . . . Applicant

By Adv: Sri R.K. Nigam

V E R S U S

1. Union of India, through Secretary,  
Ministry of Agriculture, Krishi Bhawan,  
NEW DELHI.
2. Chairman, Indian Council for Agricultural  
Research,  
NEW DELHI.
3. Director, National Research Centre for Agra  
Forest, Gwalior Road,  
JAHNSI.

. . . . Respondents

By Adv: NIL

O R D E R

Smt. Kaushalya has filed this OA for  
compassionate appointment, as her husband Sri Rajesh  
Kumar met with an accident during service as he was  
vehicle driver (T-I) at Jhansi under respondent No.

3. Thereafter, the applicant has submitted an  
application for offering her appointment on  
compassionate ground. The applicant is having one  
son and one daughter and both are minors. The  
respondent No. 3 assured the applicant that whenever  
any vacancy arose, in Class III under Ministerial

cadre, she will be given appointment. Though there is a prescribed quota of 5% for appointment on compassionate ground, the respondents have not considered her appointment on compassionate grounds within a reasonable period. Instead in the year 2006, the respondent No. 3 has issued notification for one post of clerk (Lower Division) in the Grade of Rs. 3050-4590 to be filled up through open recruitment whereas the same post should have been given to the applicant. The last date of submitting the application in response to the notification is fixed as 15.10.2006.

2. The learned counsel for the applicant, Sri R.K. Nigam, submits that on 21.09.2006 the applicant submitted a reminder for the representation under registered post stating that she should be given compassionate appointment before filling up the vacancy.

3. Learned counsel for the applicant further submitted that he will be satisfied if his representation dated 22.12.2003 and reminder dated 21.09.2006 are considered and decided within a reasonable time by passing a reasoned and speaking order. Under these circumstances I am of the considered view that the representation of the applicant dated 22.12.2003 and reminder dated

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21.09.2006 are considered and decided by the respondents within a reasonable period.

4. For the reasons stated above the OA is disposed of with the direction to the respondent No. 3 to consider and decide the representation of the applicant dated 22.12.2003 and also reminder dated 21.09.2006 in accordance with rules provided by the Railway by a reasoned and speaking order under intimation to the applicant, within a period of three months from the date of communication of this order. No costs.

K. Elango  
Member (J)

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