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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAQD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.550 OF 2006

THURSDAY, THIS THE 1<sup>ST</sup> DAY OF FEBRUARY, 2007

**HON'BLE MR. P. K. CHATTERJI, MEMBER-A**

Mulyama Singh Yadav,  
Son of Late Sri Ram Ruchi Yadav,  
Resident of Village Gaurikhanpur,  
Post Hardauli, Tehsil Baberu,  
District-Banda.

. . . . . Applicant

By Advocate : Shri Prem Chandra

Versus

1. Union of India  
through its Secretary,  
the Ministry of Defence, North Block,  
New Delhi.
2. Commanding Officer, Artillery Records,  
Nasik Road Camp 422102, Nasik.
3. Rajaya Sainik Board, U.P. Lucknow,  
through its Secretary,  
District-Lucknow.
4. Director General of Artillery (Arty-7D)  
General Staff Branch Army Head Quarters D.H.O.  
P.O. New Delhi-110011.

. . . . . Respondents

By Advocate : Shri R.C. Shukla

**O R D E R**

This OA pertains to compassionate appointment. The father of the applicant died on 09.10.2000 in harness while working as Havaladar under respondent no.2. The application was made by the applicant for providing a job on compassionate ground. His case was taken up by the officiating Chief Record Officer, who forwarded the representation of the applicant to the Director General of Artillery, New Delhi for

*[Signature]*

consideration by the appropriate Committee. The applicant says that thereafter, several reminders were sent by him to the appropriate Committee but there was no response from the respondents and, therefore, he was not knowing whether his case was considered at all by the respondents. Learned counsel for the respondents, however, has drawn my attention to the letter issued by the Record Officer, Topkhana Abhilekh Artillery Records, Nasik Road dated 06.12.2004 in which, the applicant has been informed that his request was considered by the Board of Officers convened at the Directorate General of Artillery along with other pending applications for compassionate appointment. However, the applicant could not be selected as there were more deserving candidates, as per the criteria laid down by the Government of India. Therefore, the case of the applicant could not be approved and could not figure in the select list.

2. I have gone through the letter dated 06.12.2004, which is very detailed and reasoned. It states that there<sup>are</sup> constraints on the part of the respondents in taking favourable decision in respect of each and every applicant in view of the very limited number of vacancies on compassionate quota <sup>as</sup> is compared to the number of applicants.

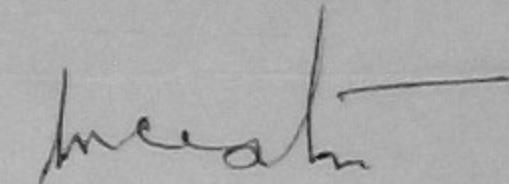
3. I am of the view that the right of the applicant has not been infringed upon by the respondents, who have given due consideration to the application

*meeth*

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consistent with the guidelines of the Government. Unfortunately, the applicant's case could not figure in the select list due to the fact that there were more deserving candidates, on the basis of financial condition.

4. For these reasons I am not able to allow this OA, which is dismissed. No costs.

  
Member-A

/ns/