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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.81 OF 2007

THRUSDAY, THIS THE 01<sup>ST</sup> DAY OF FEBRUARY, 2007

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

Navneet Singh, Son of Late Khayali Ram,  
Resident of Village Kappr Post Office-Raya,  
District Mathura.

. . . . . Applicant

By Advocate : Shri R. K. Pal

Versus

1. Union of India, through its Secretary,  
Human Development Ministry, New Delhi.
2. Commissioner, Kendriya Vidyalaya Sangthan,  
18 Institutional Area Shaheed Jeet Singh Marg,  
New Delhi.
3. Principal Kendriya Vidyalaya Murena State of  
Madhya Pradesh.
4. Principal Kendriya Vidyalaya Near  
Galf Ground, Mathura Cantt,  
District Mathura.

. . . . . Respondents

By Advocate : Shri D. P. Singh.

O R D E R

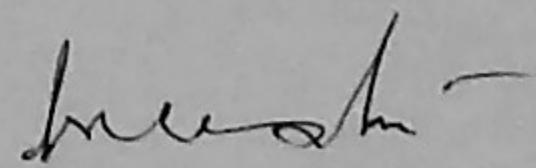
The O.A. has been filed for providing  
compassionate appointment to the applicant, whose  
father, a LDC working with Kendriya Vidyalaya  
Sangthan, died in harness on 04.05.2002. After the  
death of the applicant's father, a representation was  
filed by the widow of the deceased employee for  
providing a job to her son, the applicant, on  
compassionate quota. However, the applicant is  
aggrieved that inspite of making the representations,

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and sending several reminders thereafter, the respondents have taken no action on the representation. The applicant has also brought this to my notice that one vacancy in Group 'D' category has fallen vacant recently and, therefore, respondents should be in a position to consider his request for a job on compassionate quota. The applicant would be satisfied, if the respondents consider the representation of the applicant in a just and fair manner and on merit and, therefore, he has requested the Tribunal to pass suitable direction to the respondents. It was explained to the learned counsel for the applicant that appointment on compassionate ground is subject to availability of vacancy and, therefore, the respondents would have to see whether any vacancy has arisen in the appropriate category. Not only that, it may also so happen that other requests for compassionate appointment are also pending and the number of vacancies may be less than number of such requests. Therefore, the respondents have to examine the cases on relative merit of the candidates based on financial condition. However, the applicant has the right to be considered on merit and in a fair and just manner.

2. With these considerations, I hereby direct that respondent no.2 should consider the representation of the applicant for appointment on compassionate quota on availability of vacancy in the appropriate category. His request should be considered in a fair

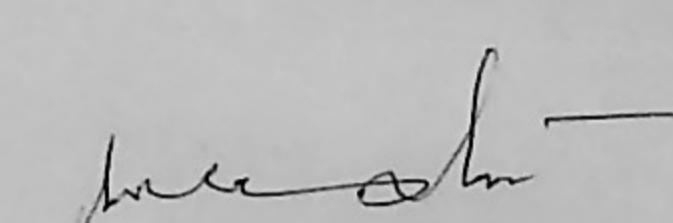


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and impartial manner on merit and after such consideration, the respondent no.2 would take appropriate decision, which should be communicated to the applicant. In case the respondents are not in a position to take a favorable decision, the order should be a reasoned and speaking order citing the grounds for the decision so taken and also citing the rules. This direction should be complied within a period of four months from the date of receipt of a certified copy of this order.

3. With the above directions and without giving any further liberty to the applicant for filing any other OA in this regard, this OA is disposed of.

No costs.



Member-A

/ns/