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Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

Original Application No. 939 of 2007

Monday, this the 24th day of September, 2007

Hon'ble Mr. K.S. Menon, Member (A)

g.s.
Kamleshwar Sharma, S/o Late Moti Lal Sharma, R/o Village
Bansdih (Uttar Tola), Post Bansdih, District Ballia.

Applicant

By Advocate Shri A.K. Pandey

Versus

1. Union of India through Secretary, Ministry of Defence, South Block, New Delhi.
2. Commanding Officer, Engineer in Command Branch, DHQ P.O., New Delhi-11.
3. Chief Engineer, Eastern Command, Fort Williams, Calcutta.
4. Commander Works Engineer, Tezpur, Assam.
5. Garrison Engineer, P.O.-Dekhangaon, District Sonitpur, Assam.

Respondents

By Advocate Shri Saumitra Singh

ORDER

By K.S. Menon, Member (A)

This O.A. has been filed seeking from this Tribunal to give direction to the respondents to grant compassionate appointment in favour of the applicant on the death of his father Moti Lal Sharma, who was a Carpenter in the M.E.S. under respondent No.5. From the O.A., it appears that the applicant had been summoned to Tezpur, Assam for personal appearance alongwith the documents on three separate occasions and on the first appearance i.e. on 26.12.1995 his case was rejected as being over age. The applicant subsequently submitted ^{the} a the ^{the} representation drawing attention of the respondents regarding ---

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age relaxation rules. Thereafter, the respondents have on two occasions summoned the applicant to Tejpur and had been asking for various documents in piecemeal. The reason why these documents have been asked for in piecemeal instead of in one go considering the facts that the applicant was coming from U.P. to Tejpur, Assam is not quite apparent. Since there was no response from the respondents, the applicant had submitted more than six representations on various dates without any result. The last representation, he submitted was on 28.04.2006.

2. From the above, it is felt that there is no useful purpose to keep this O.A. pending, therefore, the respondents are directed to consider the case of the applicant for grant of compassionate appointment in accordance with the Rules of Department of Personnel and Training dated 09.10.1988 and that ⁱⁿ ~~of~~ the Ministry of Defence on the subject by a reasoned and speaking order clearly indicating the various aspects on which the applicant's case has been considered and their decision thereon within a period of two months from the date of receipt of certified copy of this Order. The O.A. is accordingly disposed at the admission stage itself with the above directions. as to costs.

[Signature]
Member (A)

/M.M./