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CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO. 153 OF 1998
Cuttack this the 22nd day of July, 1999

(PRONOUNCED IN THE OPEN COURT)

Madhusudan Behera (Ex-mate)

Applicant(s)

-Versus-

Union of India & Others

Respondent(s)

(FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ? Yes .
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ? No ,

(G.NARASIMHAM)
MEMBER (JUDICIAL)

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN
22/7/99

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ORIGINAL APPLICATION NO. 153 OF 1998
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CORAM:

THE HON'BLE SHRI SOMNATH SOM, VICE-CHAIRMAN
AND
THE HON'BLE SHRI G.NARASIMHAM, MEMBE(JUDICIAL)

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Sri Madhusudan Behera (Ex-Mate)
/o. Late Jagabandhu Behera
of Hulanagar, PO: Pansahi
Dist: Balasore

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Applicant

By the Advocates : M/s.R.N.Mohanty-2
K.P.Mohanty
N.Sahoo
S.Sethi

-Versus-

1. Union of India represented through its Secretary, Defence, Government of India, New Delhi
2. Superintendent, Proof & Experiment (Defence), Chandipur, At/PO: Chandipur
Dist: Balasore
3. The Officer Commanding, Station Working S.M.E., Balasore
At/Po: Chandipur, Dist: Balasore
4. Major Officer, Commanding Chandipur, At/Po: Chandipur
Dist: Balasore

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Respondents

By the Advocates : Mr.J.K.Nayak
Addl.Standing Counsel
(Central)

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ORDER

MR. SOMNATH SOM, VICE-CHAIRMAN: In this application under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for compassionate appointment under the respondents.

For the purpose of considering this Original Application it is not necessary to go into too many facts of this case. According to applicant, his father, Shri Jagabandhu Behera was serving as Civil Mazdoor and he died in 1995 while in service. After the death of his father, the applicant's family was in financially distressed conditions and therefore, he applied for compassionate appointment, which has not yet been given to him. Respondents in para-6 of their counter have stated that the applicant had wrongly addressed his application for compassionate appointment which was ~~re~~ directed to them after some time. Thereafter his case was ^{re} ^{from} considered and a recommendation has been made by the local authority to give him compassionate appointment. Accordingly, the Board of Officers which is the higher authority for deciding the case for compassionate appointment have considered his case and approved him for giving compassionate appointment in his turn.

S. J. S. M.

2. We have heard Shri R.N.Mohanty, learned counsel for the applicant and Shri J.K.Nayak, learned Addl. Standing Counsel appearing for the respondents and also perused the records. In view of the fact that the applicant has already been approved for compassionate appointment and that he has to be provided the same in his turn, it is not necessary for us to pass any further

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orders in this application. We however, note the averment of the respondents made in para-6 of the counter that the applicant has been approved for compassionate appointment and he will be given the same in his turn, In view of this, the prayer of the applicant having been substantially met by the respondents, this application does not survive and the same is therefore, disposed for having become infructuous.

(G.NARASIMHAM)
MEMBER (JUDICIAL)

B.K.SAHOO

Somnath Som
(SOMNATH SOM
VICE-CHAIRMAN)