

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

1. Counter filed by R-2 through Mr. B. Dash
L.A. A.S. (CCG) without filing of A.Memo
2. Copy of counter of R-2 served.
3. A.Memo/counter not filed by R-3
4. A.D. not returned from R-1

D
22/3/01

Regr.

23-3-2001 Learned ASC Sh. B. Dash filed Memo
Appeal. Learned Counsel for the
applicant Sh. SR Das prays for
time to file rejoinder.
Time given 45 to
Hono. Time given 45 to
file rejoinder by 11-4-2001

AM
23/3/2001

REGISTRAR

No count on 11-4-2001.
Posted to 27-4-01

Rejoinder not filed.

D
26/4/01

Regr.

S/Am

Dt. 27.4.2001

The learned counsel
for the applicant prays for
time to file rejoinder.
Hono. prayer allowed. Time
granted till 21.5.2001 as
last chance for rejoinder.

REGISTRAR

05. 20. 07. 01

At the instance of learned
counsel for the petitioner matter
is adjourned to 07.09.01.

Vijayam
Vice-Chairman
21/4/2001

e.i.
Member (S)

6. ORDER DT. 7.9.2001.

Learned counsel for the applicant
Shri SR Das and his associates are absent. There
is also no request on their behalf for adjourn-
ment from their side. In this case pleadings
have been completed long ago and this is a
case for compassionate appointment. In view of
this it is not possible to drag on the matter
indefinitely more so in the absence of any
request for adjournment. We have therefore,
heard Shri B. Dash, learned ASC appearing for
the Respondents and have also perused the
records.

Applicant in this case is the son
of EX-EDBPM, Goras BO who passed away in
harness on 28. 10.1998. In this O.A. the
applicant has prayed for a direction to the
Respondents to consider the case of applicant
for appointment as EDBPM or any other suitable
post as per his educational qualification.

Respondents have filed counter
opposing the prayer of applicant. No rejoinder
has been filed.

AM
27/4/2001

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Respondent not filed.

D 18/5/01

Regd.

Regd. Registrar Court's
Order dt. 21.5.01

Pleadings completed.

For further Order

D 23/5/01

Bench

for Admision

for Admision

D 6/9/01

Bench

S. Jom

For the purpose of considering this petition, it is not necessary to go into too many facts of this case. Respondents in their counter have stated that the case of applicant was considered for compassionate appointment but as the applicant has applied for the post of EDBPM and he does not have the necessary minimum qualification of matriculation he would not be given such appointment. They have stated that applicant did not apply for any other ED Post and in any case no other ED post is vacant in the division. We have considered the above submissions carefully. As the applicant did not have the minimum educational qualification for appointment to the post of EDBPM obviously he can not be given the post by way of compassionate appointment. Instructions provide for relaxation of educational qualification but only in case of spouse of the deceased ED employee and not for others. In view of this the prayer for appointment on compassionate ground to the post of EDBPM is held to be without any merit and the same is rejected.

Applicant has prayed for giving him compassionate appointment to some other ED post. Respondents in their counter have not made any averment that otherwise than on the ground of lack of educational qualification the applicant is not eligible to get compassionate appointment for ED Post other than EDBPM and SPM whose educational qualification is 8th class pass. In view of this Respondents should have

considered the applicant for appointment in any other ED Post. It has been submitted by Respondents in their counter that no ED post is vacant. In view of this, we dispose of this prayer with a direction to the Respondents that the case of applicant should be considered for compassionate appointment to any ED post other than EDBPM and SPM as and when such vacancy arises.

With the above directions the OA is disposed of. No costs.

(G.NARASIMHAM)
MEMBER(JUDICIAL)

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN
(2000)

KNM/CM.

Free copies of final order 21.7.9.2001 issued to counsel for both sides.

DB
12/9/01

12/9/01
S.O.D)