

O.A.NO. 453 OF 2001

ORDER DATED 30.07.2003.

None appears for the Applicant; nor the Applicant is present in person when the matter was called. However, Mr. A.K. Bose, Learned Senior Standing Counsel is present and heard.

By filing this Original Application, the Applicant has prayed for a direction to be issued to the Respondents to appoint him in any capacity for which he is found fit under compassionate appointment scheme of the Respondent Department.

Respondents have already examined his case and the Circle Relaxtion Committee (in short 'CRC') had recommended his case for appointment under compassionate ground as Gr. 'D' in Berhampur division vide their Memo No. RE/17-1/98 dated 10.6.1998 under Annexure-4. However, the Respondents have submitted that on account of lack of vacancy under ^{appointment} compassionate / queta, they could not offer him any appointment so far. The Applicant in this Original Application, has expressed his willingness to take any offer of appointment which would mean that he would not be unwilling to accept an offer of appointment as GDSMC/GSDSA/GDSBPM etc. according to his educational qualification. Applicant's father was working as Overseer when he died leaving a large family behind him. The financial condition of the family can be well imagined from the fact that the Applicant

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is not able to follow-up this Original Application before this Tribunal; for which neither his counsel could appear nor copy of counter could be served on him and that is why, the copy of the counter was sent to the Applicant by post. It is in these circumstances, I feel that here is a case which needs special attention of the Court to come to rescue of the Applicant and his family from very many untold difficulties in managing their livelihood.

Having regard to the family condition of the deceased Government servant and the prayer made by the Applicant, I feel that it is a fit case where the Respondents should try to come to the help of the family of the deceased Government servant who are in indigent condition and consider the case of the Applicant for offering him an appointment under rehabilitation assistance scheme against a vacancy in any of the GDS category which may arise in Berhampur division.

The Applicant is also directed to send an application to Respondent No.3 giving his preference for appointment in any of the categories of GDS within 30 days on receipt of this order. On receipt of his application, Respondent No.3 should consider the eligibility of the Applicant for appointment against a GDS post in terms of his educational certificate and other certificates already submitted by the applicant to him vide Annexure-5 to the OA. The appointment, in any case, shall be made strictly in terms of recruitment

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rules prescribed in this regard.

In the result, this Original Application
is disposed of in aforesaid terms. No costs.

Send copies of this order to all the
parties.


(B.N. SOM) 30/7
VICE-CHAIRMAN

