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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

OA No. 515 of 2008

Rabindra Patanaik Applicant

Vs

Union of India & Others. Respondents

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Order dated -05 -08-2011.

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THE HON'BLE MR.C.R.MOHAPATRA, MEMBER (A)

AND

THE HON'BLE MR.A.K.PATNAIK, MEMBER (JUDL.)

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Heard Learned Counsel for both sides and perused the materials placed on record.

The father of the Applicant (Dasarathi Patnaik) while working as Gr.D Balimela SO expired on 05-12-1998. Alleging non consideration of the applicant who is the son of the ex employee this Original Application has been filed seeking direction to the Respondents to provide him appointment on compassionate ground and/or to direct the Respondents to consider and dispose of the appeal preferred by the applicant in this regard. The Respondents filed their counter in which it has been stated that after the death of the ex employee the applicant applied for appointment on compassionate ground. The CRC considered his case but rejected on the ground that the family is not indigent. The said decision was communicated to the applicant in letter under Annexure-R/1 dated 13.02.2002. The Applicant in this OA does not seek to quash the said letter nor has this OA been filed within the limitation prescribed in section 21 of the A.T. Act, 1985. Further stand of the Respondents is that even long year after the

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death of the farther of the applicant the family could survive without any compassionate appointment, at this belated stage the applicant is not entitled to the relief claimed in this OA. On the above grounds the Respondents opposed the prayer of the Applicant and have prayed for dismissal of this OA.

Be that as it may, we do not express any opinion on the merit of the matter because Applicant's counsel submits that since the appeal preferred by the applicant in Annexure-A/4 is still pending the Respondents may be directed to consider and dispose of the same within a stipulated period. In view of the above, we dispose of this OA with direction to the Respondent No.4 to consider and dispose of the appeal/representation in Annexure-A/4 in a well reasoned order and communicate the same to the applicant within a period of 60(sixty) days from the date of receipt of copy of this order. No costs.



(A.K.PATNAIK)
Member (Judl.)



(C.R.MOHAPATRA)
Member (Admn.)