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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK

**ORIGINAL APPLICATION NO.456 OF 2010**

Cuttack this the 25th day of August, 2010

CORAM:

THE HON'BLE SHRI C.R.MOHAPATRA, ADMINISTRATIVE MEMBER  
Suresh Ch.Patel. ... Applicant  
-VERSUS-  
Union of India & Ors.. ... Respondents

**ORDER**

Neither the counsel for the applicant nor any one for the Respondents is present on call.

Perused the O.A. and documents annexed thereto.

In this Original Application, the applicant has challenged the order of Respondent No.3 as at Annexure-A/5 and the order of Respondent No.2 as at Annexure-A/6.. After receipt of the above orders, it appears that the applicant has submitted another representation followed by a further representation dated 14.12.2009(Annexure-A/7 series) to Respondent No.2 for reconsideration of his case for compassionate appointment. It reveals from the record that after the death of his father on 19.3.2008 the applicant was considered for compassionate appointment and that his prayer has not been acceded to on the ground that his family is having 15 acres of landed property and the family derives an annual income of Rs.19,000/-. It is further seen from the records that the applicant's case has been considered only once as both Annexures-A/5 and A/6 refer to one and the same strata of consideration. This is contrary to the provisions of the Memorandum dated 5.5.2003 issued by the Department of Personnel & Training, by virtue of which the applicant has a right to be considered on three consecutive occasions against the prescribed quota of direct recruitment. Since the applicant has been considered only once, he needs to be considered for two more consecutive occasions by the Respondents.

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In view of the above, without going into the merit of the case, it would be proper if Respondent No.2 is directed to consider the case of the applicant for compassionate appointment in view of the parameters which are normally taken into considered while considering the cases of such nature for two more occasions, within a period of three months from the date of receipt of this order.

Ordered accordingly.

With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

Send a copy of this order along with copy of the O.A. to Respondent No.2 for compliance.

  
ADMINISTRATIVE MEMBER