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OA No. 434 of 2009

Y.Mohan Rao Applicant
Versus
UOI & Ors. Respondents

1. Order dated 4th September, 2009.

C O R A M

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

On being mentioned by Learned Counsel for the Applicant this matter is taken up today.

Alleging non-consideration of his case for appointment on compassionate ground after the premature death of his father on 20.12.1999 while working in the ARC, Charbatia as Cook, in spite of repeated representations and giving consideration thereby appointment to the other family members of deceased employees of ARC, Charbatia, the Applicant has approached this Tribunal in the present Original Application filed under section 19 of the Administrative Tribunal Act, 1985 seeking direction to the Respondents to provide him appointment on compassionate ground.

Having heard Mr. D.K.Mohanty, Learned Counsel for the Applicant and Mr. S.Mishra, Learned Additional Standing Counsel for the Union of India appearing on notice for the Respondents perused the materials placed on record.

It is the specific stand of the Applicant that he has made representations for removal of the injustice caused to him in the matter of providing employment on compassionate ground but till date he has received no say in the matter although as per the extant DOP&T instructions his case ought to have been received due consideration without any delay. It is

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submitted by the Learned Counsel for the Applicant that his representation has not been drawn to the notice of the appropriate authority and he apprehends that if the fact of non-consideration of his representation is brought to the notice of the competent authority, he is sure to get justice and, therefore, he has prayed that while issuing notice to the Respondents as an interim measure direction be issued to the Respondents to consider his representations pending for disposal.

Since it is the specific case of the Applicant that his representations are still pending ends of justice would be met if direction is issued to the Respondents ^{to} take a view and pass a reasoned order on the said representations at Annexure-A/2 series keeping in mind the DOP&T instruction governing the field on the subject within a period of 60 days from the date of receipt of this order and communicate the result thereof to the Applicant. Ordered accordingly.

Accordingly, this OA stands disposed of at this admission stage and in view of the disposal of the OA, MA also stands disposed of.

Send copies of this order along with OA to the Respondents.


Member (Admin.)