

THE CENTRAL ADMINISTRATIVE TRIBUNAL

JODHPUR BENCH, JODHPUR

7/6

ORDER SHEET

APPLICATION NO. 120 OF 2001

Applicant(s)

Respondent(s)

Advocate for Applicant(s)

Advocate for Respondent(s)

Orders of the Registry

Orders of the Tribunal

1.8.2001

Mr. Vijay Mehta, Counsel for the applicant.

Heard the learned counsel for the applicant and considered the case.

The case of the applicant for compassionate appointment was considered by the authorities concerned. Vide communication dated 9.8.2000 (Annex. A/3), the name of the applicant was placed at Sl.No. 44 in the merit list for compassionate appointment but as there were only 38 vacancies for such appointment, the applicant did not get any chance for being appointed on compassionate ground. The case of the applicant was again considered by the authorities for being appointed on compassionate ground against the available vacancies but he was not selected. The applicant was informed vide impugned order dated 23.3.2001 (Annex.A/1), accordingly. He was intimated that for compassionate appointment, the case of a candidate was considered once earlier and subsequently ^{also} as there were no vacancies he was informed vide Annex.A/1 in the negative.

The contention of the learned counsel for the applicant that the authorities did not consider the case of the applicant in ^{the} right perspective, but there is nothing on record to show that his case was not objectively considered. The father of the applicant ^{had} died in November 1996 and the case of the applicant was considered in September 1999 and again in September 2000, therefore, it

Copy of order along with

on 11.8.2001

R1 R2 vide

No 330 & 331

date 10/8/2001

AD Rm R1 R2


awaiting

24/8

AD Rm R-2

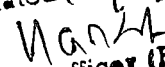
25/8

cannot be said that applicant's case was not at all considered. The Tribunal can direct the authorities to consider the case of a candidate but cannot direct that applicant be appointed. Since the case of the applicant was considered by the authorities twice once in the year 1999 and second time in the year 2000, therefore, order directing the respondents to reconsider the case of the applicant for compassionate appointment, is not called for. Consequently, the Original Application deserves to be dismissed. The Original Application is, therefore, dismissed in limine.


(A.K. MISRA)
Judicial Member

.....

Part II and III destroyed
in my presence on 17.5.07
under the supervision of
section officer (1) as per
order dated 13/3/02


Section officer (Record)