

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No. 171/2008 with MA 290/00151/16

Jodhpur, this the 1st day of June, 2016

CORAM

**Hon'ble U. Sarathchandran, Judicial Member
Hon'ble Ms Praveen Mahajan, Admn. Member**

Pratap Singh S/o Late Shri Malu Singh, aged 63 years, R/o Dugakheda, Post Bilote, Tehsil Dugla, Distt: Chittorgar (Raj.). Applicant has been retired from the post of Pump Operatory under the respondent No. 5.

.....Applicant

By Advocate: Mr S.P. Singh.

Versus

1. Union of India through the Secretary, Ministry of Urban Development, Central Public Works Department, Govt. of India, New Delhi.
2. The Superintendent Engineer, Electrical Bhopal, Kendriya Vidhyut Parimandal, Central Public Works Department Nirman Sadan, 52/A Area Hills, Post Members Block Bhopal.
3. The Executive Engineer, Through (E.) (P.A.), Bhopal Central Electric Circle, Central Public Works Department, Bhopal.
4. The Executive Engineer, Indore, Central Electric Division, Central Public Works Department, Indore.
5. The Assistant Engineer (Electrical) Neemach, Central Electrical Sub-Division, Central Public Works Department, Neemach.

.....Respondents

ORDER (Oral)**Per U. Sarathchandran**

Heard Ld. counsel appearing for both sides. Although in the order dated 23.05.2016 we had observed that we are not inclined to permit amendment to the OA at this belated stage, Shri S.P. Singh, Ld. counsel for applicant submitted that the applicant desires to amend only the portions of the reliefs sought in the OA which reads:

- 8.1 That record of the case may kindly be called for.
- 8.2 That the communication dt. 24.01.2007, (Annex. A/1) issued by the respondent no. 4 kindly be declared illegal & the same may kindly be quashed & set aside.
- 8.3 The respondents may kindly be directed to grant compassionate appointment to the applicant as per the rules of providing employment on compassionate ground to the eligible spouse/ward of the deceased employee.

and to substitute them with a new prayer:

- 8.1 By Writ order or direction the respondents may kindly be directed to grant ACP and Selection grade by counting service in rendered service as Asst. Pump Operator from 9-3-1977 in pursuance of Annexure-A/4 and consequential benefits may kindly be granted.
2. After hearing both sides we allow the said prayer. The applicant shall carry out the amendment within 14 days and shall serve a copy of the amended OA to Ld. counsel appearing for the respondents. Accordingly, MA is allowed.
3. Shri K.S. Yadav, Ld. counsel for respondents submitted that

the applicant as Assistant Pump Operator from 09.03.1977 and that consequential benefits have also been granted. He further submitted that if the applicant is still aggrieved, the respondents are ready to consider his grievances if he submits a representation.

4. Accordingly, the OA is disposed of, permitting the applicant to submit a representation as mentioned above within 15 days from the date of receipt of a copy of this order. The respondents are directed to consider such representation, if received and to take decision thereon within 02 months from the date of such receipt and to communicate the same by way of well reasoned order to the applicant. The OA is disposed of as above. Parties shall suffer their own costs.

Praveen Mahajan
[Praveen Mahajan]
Administrative Member
Ss/-

U. Sarathchandran
[U. Sarathchandran]
Judicial Member