

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR**

Original Application No. 218/2010 & M.A.121/2010

Date of decision: 11.03.2011

CORAM: HON'BLE MR. JUSTICE S.M.M. ALAM, MEMBER (J)

Ashok Kumar son of Sh. Shyam Lal, r/o Chain Singh Marg, Gandhipura, BJS Colony, Jodhpur; Shri Shyam Lal son of Shri Ratan Lal deceased- Mazdoor, in the o/o Garrison Engineer, Air Force, MES, Jodhpur.

..... Applicant

Rep. by Mr. Vijay Mehta, Counsel for the applicant.

Versus

1. Union of India, through the Secretary to the Govt. of India, Ministry of Defence, Raksha Bhawan, New Delhi.
2. Chief Engineer, (Air Force) MES, Camp Hanuman, Ahmedabad.
3. Commander Works Engineer, (Air Force), MES, Jodhpur.
4. Garrison Engineer (Air Force), MES, Jodhpur.

..... Respondents

Rep. by Mr. M. Godara, Advocate proxy for Mr. Vinit Mathur, counsel for the respondents.

ORDER

Per Mr. Justice S.M.M. Alam, Member (Judicial)

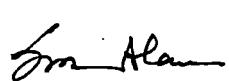
Applicant, Ashok Kumar, has preferred this Original Application, seeking the relief for issuance of direction to the respondents to give appointment to the applicant on compassionate grounds.

The contention of the applicant is that his father was employed as Mazdoor in the Office of Garrison Engineer, Air Force, MES, Jodhpur, died while he was in active service, and thereafter the applicant applied for compassionate appointment on 26.12.2003, but since, no order was passed by the concerned authority, the applicant filed this Original Application.

On filing of the O.A., notices were issued to the respondents, and the respondents appeared through lawyer and filed their reply of the O.A. As per the reply, filed by the respondents, they have ~~been~~ stated that by order dated 9th June, 2009, the respondents have rejected the application of the applicant filed for appointment on compassionate grounds. In support of this averment, the respondents have annexed the said order dated 9th June, 2009 as (Annexure R/1) of the reply.

Both the lawyers were heard and on hearing both the lawyers, and perusing the record, I have come to the conclusion that this O.A. has become infructuous in view of the order passed by the respondents on 9th June, 2009 (Annexure R/1), rejecting the claim of the applicant, for grant of compassionate appointment.

In the result, this O.A. stands dismissed, however, the liberty is given to the applicant to file fresh O.A., against the order dated 9th June, 2009 (Annexure R/1), if so advised. M.A. 121/2010 also stands disposed of.


[**JUSTICE S.M.M. ALAM**]
MEMBER (J)

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मेरी अधिकारिति में दिनांक ०९-६-६
को अक्टूबर-II व नवंबर-III तक लिये गए ।

अनुधान अधिकारी
केन्द्रीय प्रशासनिक अधिकरण
जोधपुर न्यायपीठ, जोधपुर