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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No. 395/Jodhpur/2011.

Date of decision: 23.07.2012

CORAM :

HON'BLE MR. B.K.SINHA, ADMINISTRATIVE MEMBER.

Luna Ram S/o Late Shri Jiya Ram aged 20 years, by caste Meghwal, Resident of Village and Post Hathi Tala, Tehsil and District Barmer, Rajasthan. (Dependent Son of Shri Jiya Ram, Civilian Mazdoor at Unit No. 3, ASD-19, AFD C/o 20 Rajput Bn. C/o 56 A.P.O.)

Applicant

[By Mr. S.P. Sharma, Advocate]

Versus

1. Union of India through the Secretary, Ministry of Defence (Personnel), Government of India, Sena Bhawan, New Delhi.
2. The Commandant, No. 25 Ammunition Depot. C/o 56 A.P.O.
3. The Administrative Officer For C.O., No. 25, Ammunition Depot C/o 56 A.P.O., Jodhpur.

Respondents

[By Mr. Vinit Mathur, Advocate]

ORDER

Heard the learned counsel for the applicant.

2. The case of the applicant is that he is the son of the deceased employee Jiya Ram, who demised on 28.11.2006 while working as a Mazdoor in the Jodhpur Unit of respondents organization leaving behind three minor children including the applicant and his wife. The applicant filed an application through proper channel for his appointment on compassionate grounds on having attained majority. The simple case of the applicant is that it is still pending consideration. The applicant has drawn attention to the communications dated 22.01.2007 (Annex.A/2) and 18.01.2010 (Annex.A/4), intimating that his case is under

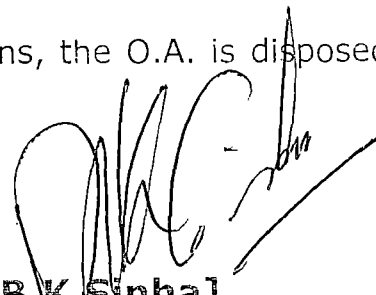


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process. Thereafter, the applicant has not heard anything from the respondents. The learned counsel for the respondents has submitted that applicant's application for appointment on compassionate grounds shall be considered in the next meeting of the competent board. It is distressing to learn that the case of the applicant has been pending for almost more than five years and the applicant is living with hopes every day that appointment would be released. It is hard to believe that no vacancies were in existence during the period of five years. The applicant has drawn my attention to a decided case of **Bhawani Prasad Sonkar Vs. Union of India** cited in (2011) 4 SCC 209, wherein, the Hon'ble Apex Court was pleased to direct employment to the appellant on compassionate grounds in departure of the previous practice of directing consideration.

3. In view of the peculiar circumstances prevailing in this case, the respondents are directed to consider the case of the applicant objectively and sympathetically (added emphasis) at the time of the next meeting of the competent board in this calendar year.

4. With the above directions, the O.A. is disposed of with no order as to costs.



[B.K. Sinha]
Administrative Member

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