

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No.1061 of 1997

Present: Hon'ble Dr. B.C. Sarma, Administrative Member

Hon'ble Mr. D. Purakayastha, Judicial Member

Gouri Bhattacharjee, widow of  
late Gouranga Bhattacharjee

Sekhar Bhattacharjee, son of  
late Gouranga Bhattacharjee

... Applicants

VS

1. Union of India, service through  
The Secretary,  
Directorate of Printing,  
Minister of Urban Development,  
New Delhi-110 011

2. The Manager,  
Govt. of India Press (Public Unit)  
Santragachi,  
Howrah-711 321, West Bengal.

3. The Asstt. Manager (Administrative)  
Government of India Press (Public Unit)  
Santragachi,  
Howrah-711 321, West Bengal

... Respondents

For the Applicants : Mr. B.P. Vaisy, counsel

For the Respondents: Mrs. B. Ray, counsel

Heard on 27.11.1997

: :

Date of order: 27.11.1997

O R D E R

B. C. Sarma, AM

The dispute raised in this application is about the grant of compassionate appointment to applicant No.2, who is the son of a deceased employee of the Government of India Press, who had died in harness. The grievance of the applicant is that despite the fact that a letter had been sent on 7.9.95 by the Assistant Manager (Admn.) of the Press to applicant No.1 no appointment has yet been given to applicant NO.2.


2. When the admission hearing of the matter was taken up today, Mrs. Ray, learned counsel for the respondents submits that the respondents have already agreed to give appointment, but that cannot be done out of turn and he will have to wait for his turn. This submission has been made on the basis of Annexure 'E' to the application since she has no instruction from the Department.

3. We have considered the submissions of the learned counsel

Contd...2/-


for both sides and perused the records. We find that assurance has been given by the respondents in writing to applicant No.1 that name of applicant No.2 has been kept in the panel for deserving candidates for the category of L.D.C. It was also stated therein that the employment of application No.2 will be considered according to its turn subject to the availability of vacancies in the for the compassionate quota. It is the settled law that/grant of compassionate appointment no supernumerary post should be created. This being the position it can be said that the applicant will have to wait for his turn of appointment under the respondents.

4. In view of the above the application is disposed of at the stage of admission itself with the direction that the respondents as stated in their letter dated 7.9.95 (Annexure 'E' to the application) shall consider the matter regarding grant of appointment to applicant No.2 when his turn comes. We would also like to make it clear that under the circumstances seniority in the panel shall be ~~followed~~ <sup>vidalant</sup> by the respondents. If the applicant No.2 has to wait for some time, there may be a case for granting relaxation of age. That matter shall also be considered when it becomes necessary for granting appointment to the applicant No.2. No order is passed as regards costs.

  
(D. Purkayastha)

MEMBER (J)

27.11.1997

  
(B. C. Sarma,)

MEMBER (A)

27.11.1997