

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. No. 560 of 1997.

Thursday this the 16th October, 1997.

CORAM:

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

HON'BLR MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

S.R. Mohanlal,
Thadathivila Veedu, Cheriya,
Alummoodu P.O., Kollam 691 577.

.. Applicant

(By Advocate M/s C.P. Sudhakara Prasad)

Vs.

1. Union of India, represented by its
Secretary, Ministry of Defence,
South Block, New Delhi.

2. The Commandant, Mukhalaya,
Rashtriya Raksha Academy,
Head Quarters, National Defence
Academy, P.O., NDA, Khadakwasla,
Pune.

3. The Record Officer, Signal Abhilek
Karyalaya, Signals Records,
P.B. No.5, Jabalpur.

4. The Chief of Staff, Head Quarters,
National Defence Academy, P.O.NDA,
Khadakwasla, Pune-611 023.

.. Respondents

(By Advocate Shri Varghese P. Thomas, ACGSC)

The application having been heard on 16th October, 1997,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant is son of late Havildar GP Soman Pillai,
who died while in service on 7.1.84. As the applicant was
a school going child at that time, the request for employment
assistance on compassionate grounds was not made immediately.

contd.



In the year 1993, on passing the matriculation examination, applicant made a request for employment assistance on compassionate grounds as the family was left with nothing to survive on. On the basis of a representation, applicant was subjected to a test/interview for employment to the post of Assistant Store Keeper in the year 1994, but even now, the appointment had not been given to him. The applicant was informed by letter dated 3.7.96 that his case for appointment on compassionate grounds has been sent to the Army Headquarters for consideration and that a reply was awaited. Under these circumstances, the applicant has filed this application for a declaration that he is entitled to get compassionate appointment and for a direction to the respondents to give him appointment under the scheme for compassionate appointment.

2. When the application came up for disposal today, learned counsel appearing for respondents submitted that the respondents 2 to 4 had forwarded the case of the applicant duly recommending for appointment as Assistant Store Keeper, that the matter was returned from the Ministry of Defence seeking certain clarifications in regard to the delay, that the same has been resubmitted to the Ministry with clarifications and recommendation and that the matter is pending with the first respondent. Counsel further stated that the first respondent would take a decision in the matter and communicate a speaking order to the applicant within a period of three months of today. Counsel for applicant stated that the application may be disposed of with a direction to first respondent to take a decision immediately and to communicate the same to the applicant.

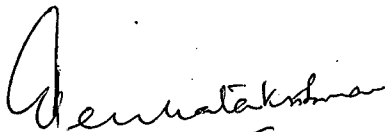
3. In the result, in the light of what is stated above, we dispose of the application with a direction to respondents that a

contd.



decision in the matter shall be taken by first respondent at the earliest, at any rate within a period of three months from today, taking into account the indigent circumstances of the family as also the fact that the delay in putting forward the claim of compassionate appointment occurred as the applicant was a school going child before he made his application. A speaking order as aforesaid in the matter shall be communicated to the applicant by the first respondent within a period of three months of today. No costs.

Dated the 16th October, 1997.



PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER



AV HARIDASAN
VICE CHAIRMAN

psl7