

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

Original Application No. 566 of 2006

Thursday, the 31<sup>st</sup> day of May, 2007

**CORAM:**

## **HON'BLE DR. K B S RAJAN, JUDICIAL MEMBER**

Jayasree J,  
W/o. Late Gopalakrishnan,  
Residing at Thunduparambli,  
Thirumullavaram, KOLLAM - 12 ... Applicant.

(By Advocate Mr. C. Rajendran)

## versus

1. Union of India represented by the Secretary, M/o. Information & Broadcasting, New Delhi.
2. The General Manager, Prasad Bharati (Broadcasting Corpn. of India), New Delhi.
3. The Director, Doordarshan Kendra, Thiruvananthapuram.
4. The Station Engineer, Doordarshan Maintenance Centre, Adoor.
5. Station Engineer, Doordarshan Maintenance Centre, Kochi. ... Respondents.

(By Advocate Mr. N.N. Sugunapalan, Sr. with Mr. Gopi)

The Original Application having been heard on 31.05.07, this Tribunal on the same day delivered the following :

**ORDER**  
**HON'BLE DR. K B S RAJAN, JUDICIAL MEMBER**

This case relates to compassionate appointment. The lone reason for rejection of the case of the applicant as could be seen from Annexure

A/8-A is that there is no vacancy that exists against the laid down 5% quota of direct recruitment.

2. It is not exactly clear from the records whether the department had, while considering 5% vacancy taken into account the stipulation contained in the order at Annexure A/16 dated 5.5.2003 (consideration not one but for three years) though reference to the same has been made in Para 3 of reply. Secondly, by virtue of order dated 09.10.2006 (Annexure A/15), if the optimization of direct recruit vacancies is taken into account, there will be some increase in the number of vacancies under the 5% quota. It is not exactly clear whether the Department has taken into account the enhanced number of vacancies.

3. In view of the above, without going into the main merits of the matter, the case is remitted back to the competent authority to review the entire matter and consider the case of the applicant in accordance with the provisions contained in the orders dated 5.5.2003 and 9.10.2006.

4. With the above observation/direction, the O.A. is disposed of. No costs.

(Dated, the 31<sup>st</sup> May, 2007)



Dr. K B S RAJAN  
JUDICIAL MEMBER