

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA No. 188/2009

Dated this the 3rd day of August, 2009

C O R A M

HON'BLE Mrs. K. NOORJEHAN, ADMINISTRATIVE MEMBER

1 Ammini Simon W/o late K.C. Seman
 residing at Kallapurath House
 Kalangathumoola, 6-A Shanthinagar Lane
 Kakkanad, Ernakulam District.

2 Sreeba Simon S/o late K.C. Seeman
 residing at Kallapurath House
 Kalangathumoola, 6-A Shanthinagar Lane
 Kakkanad, Ernakulam District.

.. Applicants

By Advocate Mr. TCG Swamy

Vs.

1 Union of India represented by
 the Secretary to the; Govt. of India
 Ministry of Commerce & Industry
 New Delhi.

2 The Development Commissioner
 Cochin Special Economic Zone (CSEZ) Government of India
 Ministry of Commerce & Industry
 CSE Administrative Building,
 Kakkanad, Kochi-682 037

.. Respondents.

By Advocate Mr. Subhash Syriac, ACGSC

This application having been heard on 31.7.2009 the Tribunal delivered the following-

O R D E R

HON'BLE Mrs. K. NOORJEHAN, ADMINISTRATIVE MEMBER

The widow and son of a deceased Govt. employee are approaching the Tribunal for the second time aggrieved by the non-feasance on the part of the respondents in considering the second applicant for compassionate appointment.



2 The first applicant is the widow and the second applicant is the son of late K.C. Seeman who while working as Head Security Guard under the 2nd respondent expired on 27.8.2002. At the time of death of the employee, he had three children -two daughters-one married and another unmarried and one son, the second applicant in this O.A. The first applicant submitted a representation for employment assistance on compassionate grounds to the 2nd applicant (A-1) which was rejected due to absence of vacancies (A2). They approached the Tribunal through O.A. 101/03 which was disposed of directing the competent authority to find out the possibility of the 2nd applicant getting an employment on compassionate grounds in other Ministries as well. In compliance of the direction of the Tribunal circular was issued from the office of the 1st respondent addressed to all Ministries/departments (A5). Since no further communication was received, the applicant submitted another representation dated 6.10.2005 (A6). The respondents appeared to be considering the case of the 2nd applicant. While so, Shri Manikandan Kakkirikkan filed O.A. 11/06 challenging the right of the 2nd applicant to get an appointment to the post of Lower Division Clerk on compassionate grounds and seeking promotion against the vacancy of Lower Division Clerk which was disposed of by A7 order. The 1st applicant again submitted representations which were not answered. Hence the applicants filed this Application mainly for appointment of the 2nd applicant to a Group-D/C post. on compassionate grounds.

3 The respondents filed reply to the O.A. They submitted that the applicants had earlier approached this Tribunal through O.A. 101/03 and in compliance with the direction of the Tribunal the bio data of the 2nd applicant was circulated to all Ministries/Departments. They further submitted that the application of the 2nd applicant for compassionate appointment is still under active consideration and that no selection has been made so far.



4 I have heard learned counsels for the parties and carefully gone through the pleadings. Today when the case was taken up for hearing the learned counsel for the applicant submitted that in view of the statement of the respondents in para 10 of the reply statement this O.A can be disposed of directing the respondents to take a final decision in the matter within a time frame.

5 In view of the submission of the learned counsel for the applicant, I am of the view that this O.A can be disposed of directing the respondents to take a final decision in the matter of appointment of the 2nd applicant on compassionate grounds as indicated in para 10 of the reply statement, as expeditiously as possible, at any rate within three months from the date of receipt of copy of this order.

6 The O.A. is disposed of accordingly. No costs.

Dated the 3rd August, 2009.


K.NOORJEHAN
ADMINISTRATIVE MEMBER

Kmn