

Central Administrative Tribunal Lucknow Bench Lucknow.

O.A. No. 550/2006

This, the 8th day of February, 2008.

Hon'ble Shri M. Kanthaiah, Member (J)

Ashok Kumar Dixit aged about 38 years son of late Sri Ram Bharosey Dixit, resident of Village Thakur mau, Fatehpur Post Padri District-Barabanki. Applicant.

By Advocate: Shri S.C. Pankaj for Sri M.C. Shukla

Versus

1. Union of India through its Secretary, Ispat Evam Khan Department, Shastri Bhawan, New Delhi.
2. U.P. Mahanideshak, Bhartiya Bhu Sanrakshan, Uttariya Chhetna, Sector I, Aliganj, Lucknow.
3. Mahanideshak, Bhartiya Bhu Vaigyanik Sarvekshan, 27, Jawahar Lal Nehru Road, Kolkotta.

Respondents.

By Advocate: Shri D Awasthi for Sri N.H. Khan.

ORDER (ORAL)

By Hon'ble Shri M. Kanthaiah, Member (J)

Heard both sides.

The applicant has filed the Original Application to quash the impugned rejection order covered under Annexure -7 dated 30.10.2006 and to issue direction for reconsideration of his claim for compassionate appointment on the ground that the rejection order does not furnish any reason.

2. Respondents counsel, who has filed detailed counter reply, opposed the claim of the applicant, stating that order

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covered under Annexure 7 and also its enclosure 12.6.2006 is a reasoned order.

3. Applicant has filed rejoinder, denying the stand taken by the respondents in the counter reply and reiterated the pleas of the Original Application.


4. Points for consideration is whether the applicant is entitled the relief as prayed for.

5. The applicant has challenged the impugned rejection covered under Annexure 7 dated 30.10.2006 stating that no reasons have been assigned for rejecting the claim of the applicant for compassionate appointment.

6. On perusal of the said rejection order, the respondents authorities have not assigned any reason for rejecting the claim of the applicant for compassionate appointment. The attached documents also does not show that on what grounds, the claim of the applicant was rejected for his appointment on compassionate ground. Without furnishing any reason, mere mentioning that your claim has been considered by the committee, is not at all sufficient and it will not be treated as reasoned order. Thus the submission of the applicant is justified in questioning the impugned order covered under Annexure 7 dated 30.10.2006 and also, its enclosed order dated 12.6.2006 and as such the same is quashed and the O.A. is disposed of with a direction to the respondents to reconsider the claim of the applicant for his

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compassionate appointment with a reasoned order as per
rules within a period of 3 months, from the date of supply of
copy of this order. No order as to costs.


Member (J)
08.02.2008

HLS/-