

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.53/2007
This the 07th day of December 2007

HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.

Smt. Ashmat Khan aged about 36 years wife of late Ateeq Ahmad Khan, resident of 485/36/1, Lakar Mandi, Daliganj, P.S. Hasanganj, Distt. Lucknow.

...Applicant.

By Advocate: Shri Bajrangi Verma.

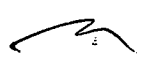
Versus.

1. Union of India through Chief Post Master General, New Delhi.
2. Asstt. Director, Selection Office, Chief Post Master General, U.P. Circle, Lucknow.
3. Chief Post Master, G.P.O., Lucknow.
4. Circle Relaxation Committee, G.P.O., Lucknow.

By Advocate: Shri Jitendra Verma.

ORDER (Oral)

BY HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.

1. Heard Shri Bajrangi Verma, the learned counsel for the applicant and Shri Jitendra Verma, the learned counsel for respondents.
 2. The applicant has filed this O.A. challenging the impugned rejection order dated 26.4.2005 (Annexure-2) under which the respondents authorities have rejected the claim of the applicant for grant of compassionate appointment without assigning any reasons for such rejection.
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3. The respondents have filed the detailed Counter Affidavit stating that there was no vacancy under 5 % reserved quota ⁱⁿ ~~for~~ compassionate appointment and also on the ground that the applicant got terminal benefits etc.

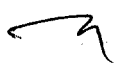
4. The applicant also filed Rejoinder Affidavit reiterating his pleas taken in the OA and also denying the averments of the respondents made in the Counter Affidavit.

5. Heard both sides.

6. The point for consideration is whether the applicant is entitled for the relief as prayed for.

7. The admitted facts of the case are that the applicant is the widow of Late Ateeq Ahmad Khan, who worked as Group-D employee under Respondent No.3. During his service, he died on 08.1.2000 leaving behind the applicant and two minor children and aged mother. The applicant made an application on 19.7.2000 seeking compassionate appointment and subsequently at the instance of respondents, she has also furnished the remaining formalities in respect of ^{their} ~~there~~ objections. Lastly, the respondents have passed the impugned order covered under (Annexure-2) dated 26.4.2005 stating that the Circle Relaxation Committee has rejected the claim of the applicant for her appointment on compassionate ground.

8. It is also the case of the applicant that no reasons are assigned for rejection and impugned order (Annexure-2) is not helpful to show the reasons for rejections or her claim for compassionate appointment. It is bounded duty of the respondents on passing orders on the application of the applicant, they have to furnish the reasons of rejection of such claim but on perusal of (Annexure-1) that no



reasons are given by the respondent authority for rejection of the appointment of the applicant on compassionate ground.

9. The Learned counsel for the respondents argued that the department has given reasons in the Counter Affidavit but they are not sufficient to satisfy the claim of the applicant in respect of her representation or application under which she sought compassionate appointment.

10. In view of the above circumstances the rejection order is without reasons ^{and it} is not at all a reasonable order and as such respondents are directed to reconsider the application of the applicant for her appointment on compassionate ground and for disposal of the same by giving reasons as per rules and regulations within a period of three months from the date of the receipt of the certified copy of this order. No order as to costs.


(M. KANTHAIAH)
MEMBER (J)

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