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CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

O.A. No. 284 of 1990

V.K. Tewari

Applicant

versus

Union of India

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.

*Consent
27/11/92*

Applicant was the second son of ~~K.K.~~ ^{K.} Tewari who was a permanent employee of Telecommunication Department and ~~he~~ was murdered on 18.5.88. The applicant applied for compassionate appointment in place of his father, who left behind him 3 sons and one unmarried daughter and his widow Smt. Raj Kumari Tewari and 2 married daughters. Out of three the elder son is said to have been doing some business in the lifetime of his father but now, he is running paan shop. The applicant ~~second brother~~ has passed the examination and passed the High School Examination in the year 1982 at the age of 22 years. He applied for appointment on compassionate ground and his mother also moved application on his behalf. The applicant continued his studies and he passed B.A. in the year 1987. The petitioner/applicant and his mother several times requested the authorities for giving him compassionate appointment ^{but to no result}. The authorities rejected the claim of the applicant on the ground that the financial condition of the family of the

deceased has been found 'pitiable'.

2. It seems that because the department due to his stand taken, did not file the counter affidavit, it appears that the higher authorities of the department have not considered the extent and import of this welfare scheme regarding compassionate appointment. The G.O. for fulfilling this welfare scheme is clear and the pronouncements of the Hon'ble Supreme Court and various other High Courts too are very specific. Compassionate appointment is given not only when the condition of family is pitiable as has been pleaded by the respondents. As such this application deserves to be allowed. Order dated 16.1.90 is quashed and the respondents are directed to reconsider the prayer of the applicant for compassionate appointment in correct perspective taking into consideration that the cases of others if any who are waiting for the same before. Let it be done within 2 months of the receipt of a copy of this judgment. No order as to costs.


Vice Chairman.

Shake 1/-

Lucknow: Dated: 11.11.92.