

IN THE CENTRAL ADMINISTRATIVE TRIUBNAL, LUCKNOW BENCH

Original Application No.555/2003.  
this the day of 05.12.2003.

HON'BLE MR. JUSTICE S.R. SINGH, VICE-CHAIRMAN.

Janak Prasad, son of late,  
Triyugi Narayan Shukla, Resident,  
of Village and Post-Office-Pure,  
Bahori, District-Gonda.

... Applicant.

By Advocate:- Sri S.C. Srivastava

Versus.

Union of India through Secretary,  
Finance Account, Central Unit,  
New Delhi.

2. Chief Income Tax Commissioner,  
Ashok Marg, Lucknow.

3. Income Tax Officer,  
District-Basti.

4. Income Tax Commissioner,  
Faizabad.

... Respondents.

By Advocate:-

O R D E R ( ORAL )

The applicant's father Sri Triyugi Narayan Shukla was a Group 'D' employee of the respondents, died in harness on 28.8.2001. The instant Original application has been instituted for issuance of a direction to the respondents to appoint the applicant according to his qualification under Dying in harness Rules. It is alleged that the applicant preferred a representation seeking compassionate appointment, but till date the respondents passed no order on the said representation preferred by

*Deo*

the applicant.

2. Considering the facts and circumstances of the case and the purpose for which the scheme for compassionate appointment has been formulated, I am of the view that an early decision in such matter should be taken by the authorities. Since the compassionate appointment is limited only to the extent of 5%, it is for the authorities to consider the claims of all eligible candidates and take appropriate decision in the matter in accordance with law. In the circumstances, I am of the view that the ends of justice shall better be served if the present original application stands disposed of with a direction to the respondents to consider the claim of the applicant for compassionate appointment and take appropriate decision in that regard in accordance with law as early as possible preferably within a period of three months from the date of certified copy of this order. It is made clear that the applicant, if required by the respondents, shall have to furnish the necessary documents in support of his claim for compassionate appointment.

3. The Original application is disposed of with the above directions. The parties are directed to bear their own costs.

  
VICE CHAIRMAN.

GIRISH/-