

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.525/2006
This the 25th day of January 2008

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

1. Smt. Shyama Devi W/o Late Shri Ram Kishore, aged about 56 years R/o Village-Ram Nagar Gourehar, Pargana-Manglasi, Tehsil-Sohawal, District-Faizabad.
2. Lal Bhadur S/o Late Shri Ram Kishore, aged about 32 years R/o Village-Ram Nagar Gourehar, Pargana-Manglasi, Tehsil-Sohawal, District-Faizabad.

...Applicants.

By Advocate: Shri Narendra Nath.

Versus.

1. Union of India through the Secretary to the Govt. (Ministry of Defence), New Delhi.
2. Directorate General of Ordinance Services, Master General of Ordinance Branch, Army Head Quarters, New Delhi.
3. Command Officer/Central Ordinance Department, Kanpur.

... Respondents.

By Advocate: Shri Shri K.K. Shukla.

ORDER (Oral)

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

Heard Shri Narendra Nath, the learned counsel for applicant and Shri K.K. Shukla, the learned counsel for the respondents.

2. The applicant has filed this OA to quash the impugned rejection order covered under Annexure-1 dated 19.05.2004 on the ground that no reasons are assigned for rejection of their claim for compassionate appointment.



3. The respondents, who have filed their detailed Counter Affidavit, stating that the respondents authorities have rejected the claim of the applicant with a reasoned order and thus opposed the claim of the applicant.

4. Heard both sides.

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

6. On perusal of impugned order covered under (Annexure-1) dated 19.05.2004, it is clear that no reasons are assigned for disentitlement of the applicant no.2 for compassionate appointment. It is only a cyclostyle order, stating that the competent authority did not consider his claim for appointment on compassionate ground. It is the bounden duty of the respondent authorities, while rejecting the claim of the applicant to give reasons for such rejection. Without giving any of such reasons passing an order rejecting the claim of the applicant is not at all a reasoned order in the eyes of law and as such, the applicant is justified in challenging the same.

7. In view of above circumstances, the OA is disposed of with a direction to the respondent authorities to reconsider the claim of the applicant No.2 for his compassionate appointment and pass a reasoned order as per the rules and regulations within a period of four months from the date of the receipt of the certified copy of this order. No order as to costs.


(M. KANTHAIYAH)
MEMBER (J)

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25-07-2008