

**CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW
BENCH LUCKNOW**

Original Application No: 148/2011

This the 29th day of April, 2011

HON'BLE SHRI S.P. SINGH, MEMBER (A)

Jai Kumar Pandey, aged about 31 years, son of Late Shobh Nath Pandey, resident of Village- Pure Charn, Post-Medhauri, Tehsil-Raniganj, District-Pratapgarh, presently residing at House No. 538Ka/316, Triveni Nagar, Tulsipuram, Sitapur Road, Lucknow.

Applicant

By Advocate Shri Pankaj Kumar Pandey.

Versus

1. Union of India through Secretary, Ministry of Home, Central Secretariat, New Delhi.
2. Director, Jan Gadhna Karya Nideshalaya, U.P. Sthapana Anubhag, Lekhraj Market, Faizabad Road, Indira Nagar, Lucknow.

Respondents

By Advocate Shri R. Mishra.

Order (Oral)

By Hon'ble Shri S. P. Singh, Member (A)

Learned counsel for applicant submits that the father of the applicant died on 4.6.2007 leaving behind his wife Anara Devi and the applicant along with three sons.

2. The applicant submitted his application dated 12th August 2007 for engagement on compassionate ground vide Annexure No.

A-3. The department demanded application for compassionate engagement on prescribed proforma along with required documents. The applicant filed necessary papers with the department on 30.7.2009 (Annexure A-5).

3. The applicant meanwhile filed a Writ Petition No. 572(S/S) of 2011 which was dismissed by the Hon'ble High Court vide its judgment and order dated 2.2.2011 in view of the law laid down by the Hon'ble Apex Court in the case of L. Chandra Kumar Vs. Union of India, reported in AIR 1997 SC 1125 as not maintainable directly in the Hon'ble High Court. The applicant has accordingly filed this O.A.

92

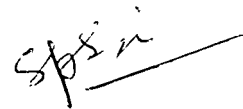
4. The learned counsel for the applicant submits that he will be satisfied, if he is allowed to represent once again before the department and the department shall dispose it of within the stipulated period. The learned counsel for the respondents has no objection.

5. The applicant is accordingly permitted to file representation including copy of this O.A. along with the certified copy of this order before the department within a period of three weeks from the date of the receipt of the order and the department is directed to consider his representation and passed reasoned and speaking order within next 45 days of receipt of representation as above.

6. The O.A. is accordingly disposed of with the above direction.

No order as to costs.

Copy of order be given to counsel for the parties.



(S. P. Singh)
Member (A)

v.