

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

PATNA BENCH : PATNA

Registration No. OA-162 of 1996

Date of Order:- 12.4.1996

Krishna Ashray Shukla	...	Applicant
Versus		
The Union of India & Others	...	Respondents
Counsel for the applicant	...	1. Mr. B.K.Singh 2. Dr. Ravi Ranjan
Counsel for the respondents	...	None

Coram:- Hon'ble Shri N.K.Verma, Member (A)

ORDER

(Pronounced in open Court on
dictation)


Hon'ble Shri N.K.Verma, Member (A):-

1. Heard Shri B.K.Singh and Dr. Ravi Ranjan, learned counsel for the applicant who has been agitating for his appointment on compassionate ground after death of his father in service on 6.4.91. The applicant was 21 years old at the time of the death of his father. The applicant's mother moved the Collector, Central Excise, Patna (Bihar) vide her representation dated 8.5.91 for appointment of the applicant on compassionate ground. The applicant was subjected to appear in the written test and a number of enquiries were made about his family circumstances and the salary of the brothers who were reported to be in service. After vigorous efforts in processing of this appointment, the mother of the applicant was given a cryptic reply on 3.8.95 through Annexure-12 that the case of the appointment on compassionate

2.

ground has been rejected. The OA has been filed thereafter. Dr. Ranjan submitted that the respondents have acted in a very arbitrary manner and have rejected the application of the applicant's mother for appointment of her son after four years of the incident of the death of the father of the applicant. The action of the respondents does not seem to be clear after having raised the hope of the applicant that he would be getting compassionate appointment on account of his father's death. If the respondents had rejected the claim well in time, perhaps the applicant, son of the deceased employee, could have sought employment elsewhere. This sudden and unreasoned rejection order seems to be quite arbitrary and therefore needs adjudication.

2. After having heard the learned counsel for the applicant this Original Application is disposed of with a direction to the respondents to review the application of the applicant's mother dated 8.5.91 for appointment of her son on compassionate ground within two months from the date of receipt of this order and dispose it of with a reasoned and speaking order.


(N.K.Verma)
Member (A)

SKS